



**UCD GEARY INSTITUTE FOR PUBLIC POLICY  
DISCUSSION PAPER SERIES**

**International migration in Ireland, 2013**

Philip J O'Connell  
UCD Geary Institute for Public Policy,  
University College Dublin

Corona Joyce  
The Economic and Social Research Institute,  
Dublin

Geary WP2014/15  
December, 2014

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# **International Migration in Ireland, 2013<sup>1</sup>**

**Philip J. O'Connell<sup>2</sup> and Corona Joyce<sup>3</sup>**

December, 2014

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<sup>1</sup> This working paper is based on the Irish report to the OECD Continuous Reporting System on Migration (SOPEMI). The principal reference year is 2012. The research for the report was funded in part by a grant from the Department of Justice and Equality. We wish to thank officials of the Department of Justice and Equality; the Department of Jobs, Enterprise and Innovation; and the Central Statistics Office for their assistance in compiling this report.

<sup>2</sup> UCD Geary Institute for Public Policy, Dublin.

<sup>3</sup> The Economic and Social Research Institute, Dublin.

## ***Abstract***

This working paper is based on the Irish report to the OECD Expert Group on Migration, and is the key Irish input to the preparation of the annual OECD *International Migration Outlook*. The principal reference year is 2012, although information relating to early-2013 is included where available and relevant.

Inward migration increased slightly to almost 56,000 in the twelve months to April 2013. With the recession, emigration increased, to over 89,000 over the same period. Net migration, which had peaked at a net inward flow of almost 105,000 in 2006-7 turned negative in 2009-10 and was -33,100 in 2012-13, a similar level of net emigration as the previous year.

## **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 2012, although information relating to early-2013 is included where available and relevant.

The Executive Summary provides an overview of the main findings of the report. Section 2 discusses the main developments in migration and integration policy in Ireland. Section 3 discusses the statistics on inward and outward migration movements. Section 4 examines trends in the population. Migration and the labour market are discussed in Section 5.

### **1. Executive Summary**

The population of Ireland continued to increase during 2012, to an estimated 4,593,100 in April 2013. The most recent inter-censal period (2006-2011) shows the highest natural increase at 45,000 persons per annum, which combined with net-inward migration of 24,000 per annum to an annual increase of 68,000 per annum. Inward migration increased slightly to almost 56,000 in the twelve months to April 2013. With the recession, emigration has increased, to over 89,000 in the 12 months to April 2013. Net migration, which had peaked at a net inward flow of almost 105,000 in 2006-7 turned negative in 2009-10 and was -33,100 in 2012-13, a similar level of net emigration as the previous year.

In recent years inward migration has increased to over 50,000 per annum in each of the three most recent years 2010-2013. The number of Irish immigrants fell to less than 16,000 in the 12 months to 2013, its lowest level in decades. As a result, returning Irish immigrants accounted for just 28% of immigrants in 2012-13. Immigration from all countries declined between 2007-8 and 2012-13. Similar to the patterns in

immigration by nationality, the share of immigrants from the New EU Member States (NMS) fell sharply, from 40% to 21%. Those aged 25-44 years currently constitute about half of the total inflow. Almost 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.

There was strong emigration to the new EU member states in the early years of the recession, but this tapered off in 2011 and 2012, while emigration to the UK, Australia, the USA, Canada and the Rest of the World outside the EEA, picked up. In the twelve months to 2013, emigration of Irish nationals increased sharply to over 50,000 individuals, which represented 57% of total emigration. This represents a substantial increase over previous years. Citizens of the EU New Member States (NMS) accounted for about 16% of all outflows. The most recent estimates show that 41% of emigrants in the year to April 2013 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.

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, but was just 73,300 in 2012. 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 that in 2011, 37% of foreign nationals with new PPSNs issued in that year had employment activity during the year, but only 27% of those who were allocated a PPSN in 2006 were in employment at some stage during 2011. Some 27% of the almost 1,150,000 foreign nationals who were allocated PPSNs in the period 2002-2011 recorded some employment in Ireland during 2011.

The Irish economy moved into recession in the first half of 2008, leading to a dramatic deterioration in labour market conditions. Gross National Product (GNP) 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 over 15.5% over the four years 2008-2012. 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. There are now some signs of a weak recovery. Total employment increased by almost 34,000 between Q2 2013 and Q2 2013, the first such annual increase in five years, and unemployment fell by 22,000. After 2007, immigrants began to lose ground in the Irish labour market. Total employment in the economy fell by over 14% between the end of 2007 and the end of 2012. While employment among Irish nationals fell by 13%, it fell by 21% among non-Irish nationals. Employment among NMS nationals contracted by over 26% between 2007 and 2012, and among UK nationals by 18%. 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. As the recession deepened, the gap in unemployment rates grew wider between Irish and non-Irish nationals. In the final quarter of 2012, the unemployment rate was 16.5% among non-Irish nationals and 13.2% among Irish nationals.

In 2012 there was a decrease of about 20% in the number of employment permits issued year-on-year with 4,000 issued during the year. The decline mostly related to renewals which fell by almost a half. While the overall number of employment permits fell during 2012, there were steady but slow increases in Green Cards, intra-corporate transfers and training permits. However, the number of employment permits for dependent spouses has declined steadily over time – from 1,970 in 2010 to 850 in 2012. The majority of permits issued during 2012 (over 60%) were new permits.

During 2012, some 132,425 visa applications were received by Irish authorities, mostly related to entry visas (88,345) of which 91% were approved. The main countries of nationality of persons applying for such visas during 2012 were India, Russia, China, Nigeria and Saudi Arabia.

There were 956 applications for asylum in Ireland in 2012, representing a decrease of 26% on the 2011 figure. This annual influx for 2012 represents less than 2% of the estimate of total gross inward migration in the twelve months to April 2013. Some 78% of asylum applications were made at the Office of the Refugee Applications Commissioner (ORAC) and 16% were made at a port of entry (airport). Nigeria

continued to be the country of stated nationality of the largest number of applicants for asylum (162) and accounted for 17% of all applications. There was an overall decline of 38% in the number of appeals received by the Refugee Appeals Tribunal year-on-year during 2012, mainly relating to Nigerian nationals (18% of all cases). A total of 746 appeals were completed by the Refugee Appeals Tribunal during the year. All of the recommendations made by the Refugee Applications Commissioner under manifestly unfounded and accelerated decisions were affirmed during 2012, and some 95% of all recommendations relating to decisions under the Dublin Convention/Regulation were upheld (resulting in 2 positive cases). Some 67 positive recommendations were made at first instance during 2012, with 45 appeals granted at second instance. The refugee recognition rate in Ireland during the year was 6.6%.

During 2012 some 511 applications for subsidiary protection in Ireland were received under the *European Communities (Eligibility for Protection) Regulations 2006*, with 28 grants. The majority of 2012 cases related to nationals of Nigeria (66 applications), Pakistan (53 applications), Democratic Republic of Congo (42 applications), Zimbabwe (34 applications) and Afghanistan (30 applications). During 2012, a total of 564 persons were granted permission to remain during the year following consideration under Section 3 of the *Immigration Act 1999 (as amended)*.

In a Parliamentary Question in March 2012, the Minister for Justice, Equality and Defence noted that as of that date, some 1,680 applications had been submitted to INIS to have their case to remain in Ireland examined in accordance with principles set forth in the 2011 European Court of Justice (ECJ) *Zambrano* judgment. Decisions had been made in 925 cases with permission to remain in Ireland granted in 791 cases. It was noted that the majority of cases which remained outstanding concerned missing documentation and/or information. As of that date, some 193 cases subject to judicial review proceedings had a link to the judgment, and 148 of these had been granted permission to remain in Ireland under the terms of the judgment.

In 2012, Ireland continued to participate in the UNHCR-led Resettlement Programme for vulnerable refugees with 1,043 persons resettled as 'programme refugees' between 2000 and 2012. During 2012, 39 persons arrived in Ireland for resettlement purposes.

Applications for family reunification (family members or a civil partner) in respect for 387 persons with refugee status were received by the Irish Naturalisation and Immigration Service (INIS) during 2012, with approvals issued for 379 persons. Family reunification for 366 persons was refused during 2012 and applications in respect of 56 persons were either withdrawn or deemed abandoned. Overall, the Office of the Refugee Applications Commissioner (ORAC) received some 206 applications for family reunification during 2012, representing 409 dependents. Provisional figures for 2012 show 2,817 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. Provisional figures indicate that 1,829 grants occurred. A further 1,158 applications for residence permission by spouses of Irish nationals were received during the year, with 701 approvals. In early 2012 the Minister for Justice and Equality announced the Departmental prioritisation of the development of a comprehensive policy approach to family reunification or settlement and focussed on cases involving non-EEA family members of Irish citizens and where both parties come from outside the EEA. As of year end, it was noted by the Department that all policy options in this regard were presently being examined.

Some 485 persons were granted Long Term Residency in Ireland during 2012.

Looking at return from Ireland, during 2012 a total of 302 deportation orders were effected from Ireland under Section 3 of the *Immigration Act 1999*: mainly involving nationals of Nigeria, Pakistan, Georgia, Somalia and South Africa. Some 2,204 persons were refused entry to Ireland at ports of entry and returned to the place from which they had come. Some 33 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*. A total of 70 transfer orders were effected during 2012 under the EU Dublin Regulation, less than half of the figure for 2011 when 144 transfers took place. Some 449 persons were assisted to return home voluntarily during 2012, with 359 persons in receipt of voluntary return and reintegration assistance from the International Organization for Migration (IOM) office in Dublin and 90 availing of administrative assistance from the Irish Naturalisation and Immigration Service (INIS).



In 2012, a total of 157,782 Certificates of Registration (new registrations and renewals) were issued, representing a slight decrease of 2.1% on 2011 figures. India, Nigeria, Brazil and China occupied the top 4 positions in both years. The majority were issued mainly under Stamp 4 (68,451) and Stamp 2 (42,775). Notable decreases in Stamps issued under categories 1A, as well as 6 and 3 took place, with notable increases in Stamps issued under the Unrecorded category as well as EUFAM.

The number of foreign residents in Ireland peaked in 2008 at over 575,000, or 12.8% of the total population. Their numbers declined during the Recession, to 550,400 in 2010, but recovered slightly to 554,500 in 2013. The single largest group of non-nationals is from the EU New Member States. The number of immigrants from other European countries has also fallen in recent years. Nationals from the Rest of the World (outside Europe) have increased in number since 2010 – to almost 170,000 (or 3.7% of the population) in 2013. This may be partly related to the influx of highly skilled immigrants to meet skill demands in particular sectors, particularly Information Technology and Health.

New procedures have been implemented by the Department of Justice and Equality to facilitate faster processing of citizenship applications. Some 25,000 applications for citizenship were decided in 2012, with 35 citizenship ceremonies taking place for conferring of citizenship on almost 20,000 persons. The main nationalities granted certificates were nationals of Bangladesh, China (including Hong Kong), India, Moldova and Nigeria. The issue of processing times for applications for citizenship has attracted considerable debate in recent years, and received additional media attention during 2012. The Department of Justice and Equality noted in its *Annual Report 2011* that as from mid-2012 all non-complex cases (noted as 70% of all applications) will be completed within six months.

Regarding major policy developments, the *Immigration, Residence and Protection Bill 2010* was not republished during 2012-13. The Minister for Justice and Equality had initially signalled an intention to republish a new redrafted text of the *Immigration, Residence and Protection Bill 2010* by late 2012 (subject to time constraints arising from

the implementation of EU/IMF/ECB commitments), and during the year indicated that he intended to address certain issues in a republished Bill including marriages of convenience, family reunification provisions and the protection of non-Irish nationals who were suffering domestic violence and whose immigration status may be adversely affected if they were to leave their abusive partner. Commentary throughout the year on the drafting of the Bill and incorporation of amendments also reiterated the inclusion of a single protection procedure for applications for international protection.

The Short-Stay Visa Waiver Programme was extended for a further four year period during 2012 with the number of applicable countries increased to seventeen and Bosnia and Herzegovina were added to the existing list. Visits from the countries covered by the Programme 'increased by 21 per cent in the twelve months following its introduction'. Fees for long-term residents from the countries covered by the Programme who live in the Schengen area are also to be waived. In November 2013, the Minister for Justice and Equality announced that as from 18 November 2013, citizens of Thailand could also avail of the Programme.

The continued roll-out of a multi-entry visa regime for business travellers, starting with the Gulf Region (2011), followed by Russia and China (2012) and expected to extend to India (2013) took place and allows for the granting of visa for up to a three-year duration.

The *Qualifications and Quality Assurance (Education and Training) Act 2012* was enacted in 2012 and provides for the establishment of a merged accreditation body. Quality and Qualifications Ireland was subsequently established on 6 November 2012 under the Act and is an amalgamation of four bodies that have both awarding and quality assurance responsibilities: the Further Education and Training Awards Council (FETAC), the Higher Education and Training Awards Council (HETAC), the National Qualifications Authority of Ireland (NQAI) and the Irish Universities Quality Board (IUQB).

*The Criminal Justice (Female Genital Mutilation) Act 2012* was passed in March 2012 following much parliamentary discussion and commenced on 20 September 2012. It

prohibits female genital mutilation and related offences (including an extra territorial aspect) and seeks to act as a deterrent.

In late 2012 the Minister for Justice, Equality and Defence published the general scheme of the *Criminal Law (Human Trafficking) (Amendment) Bill* and the *Criminal Law (Human Trafficking) (Amendment) Act 2013* came into operation in August 2013. The 2013 Act replaces and expands the original definition of exploitation in the *Criminal Law (Human Trafficking) 2008 Act*. This now covers trafficking for the purposes of forced begging and incorporates the definition of begging set out in the *Criminal Justice (Public Order) Act 2011*. The 2013 Act focuses on the phenomenon of begging as a form of forced labour. For this purpose it incorporates the definition of forced labour in the International Labour Organisation *Convention No. 29 on Forced Labour (1930)* into the definition of exploitation.

It was announced in the latter part of 2012 that a new employment permits bill was to be published in the first quarter of 2013 and would include specific, technical provisions for protecting undocumented workers. It remained unpublished by the latter part of 2013. A regulatory impact assessment (RIA) of a new bill was published in January 2013 and outlined five key immediate objectives including the need to focus on current skills shortages (especially ICT) in the Irish economy; to provide for more innovative application processes (such as online procedures) and to reduce the 'administrative burden' associated with applying for a permit; to cater for the accession of new EU Member States (such as Croatia in 2013); and to address 'recent deficiencies' in the legislation which would allow for the exploitation of irregular workers by their employers. The RIA concluded that there was a need to 'supplement Ireland's skills stock through employment permits' and that a new legislative basis was needed to provide for greater flexibility to enhance Ireland's ability to respond to changing policy and operational priorities, in particular in light of acknowledged skills shortages in the information and communications technologies, high-tech manufacturing particularly biopharma, financial services sector, health sector and for those with languages and sales skills.

*The Immigration Act 2004 (Visas) (No.2) Order 2011* (S.I. No. 345 of 2011) specifies classes of non-Irish nationals who are not required to be in possession of a valid Irish visa when landing in the State, including some family members of EU nationals who are holders of a 'Residence card of a family member of a Union citizen' as specified in Article 10 of Directive 2004/38/EC and some holders of travel documents issued in accordance with Section 28 of the *Geneva Convention 1951*. S.I. 417 of 2012 also specifies nationals of states which are required to be in possession of a valid Irish transit visa when arriving at a port in the State for purposes of passing through the port in order to travel to another state.

In 2012 the Irish Naturalisation and Immigration Service (INIS) published New Immigration Guidelines for applying for an independent status for legally-resident non-EEA victims of domestic abuse whose immigration status is derived and/or dependent on that of the perpetrator of domestic violence. The Guidelines were broadly welcomed and focus on instances whereby the victim is a foreign national whose immigration status is dependent on or derived from that of the perpetrator. No application fee will be required. Permission granted will generally be at the same level as that held as a dependent (noted as normally a 'Stamp 3' permission, however consideration regarding a requirement to work will subsequently be addressed as required.)

The Department of Justice and Equality noted that INIS continued to 'work closely' with UK counterparts to implement a 'reciprocal visa programme for short stay visitors', with particular reference to tourists and business visitors and facilitation of travel throughout the island of Ireland without two separate visas. In 2013 the Minister for Justice and Equality remarked that Irish and UK officials continued to work on developing 'reciprocal visa arrangements for the Common Travel Area for introduction in the middle of next year' with the aim of a system whereby 'only one visa is required to travel to and around the Common Travel Area'. The cross-checking of Irish visa applicant data with the UK immigration fingerprint database has been in operation since June 2012. In addition, the sharing of limited data related to applicants for Irish visas took place with the UK in the latter half of 2012 with a cross-check of the fingerprints of almost 3,000 applicants for an Irish visa and the UK immigration fingerprint database taking place between June and December 2012. A further cross-

checking of the fingerprints of 1,750 failed asylum seekers with UK immigration records also took place in which 'almost 30%' were matched to UK records.

Further visa and programme initiatives announced during 2012 related to events under 'The Gathering Ireland 2013'. Attendees with verified invitations from event organisers will be provided with a code to quote on their visa application which will ensure priority processing of a free-of-charge visa application. It was also announced during 2012 that as of 1 January 2013, Ireland will introduce a 'Working Holiday Programme' for young persons who are holders of a Republic of China (Taiwan) passport. This is a reciprocal arrangement with the Republic of China (Taiwan) which will also introduce a similar scheme for Irish passport holders. In April 2012 streamlined immigration arrangements for the 2012 cruise ship season were announced in which visitors will be able to disembark quickly to avail of tours and visits.

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, the *Immigrant Investor Programme and Start-Up Entrepreneur Programme*. In July 2012 the Minister for Justice, Equality and Defence signed the *Immigration Act 2004 (Start-up Entrepreneur Programme) (Application for Permission) (Fee) Regulations 2012* (SI No. 259 of 2012), which prescribed a fee of €350 in respect of the making of an application for a permission under the Start-Up Entrepreneur Programme. It also waived that fee in respect of persons who have been sponsored by Enterprise Ireland. That same month, the Minister for Justice, Equality and Defence signed the *Immigration Act 2004 (Immigrant Investor Programme) (Application for Permission) (Fee) Regulations 2012* (SI No. 258 of 2012), which prescribed a fee of €750 in respect of the making of an application for a permission under the Immigrant Investor Programme.

Much criticism followed the doubling of immigration registration fees in late 2012. In November of that year the cost of registration for all non-EEA nationals residing in Ireland for more than three months increased from €150 to €300. S.I. No. 444 of 2012 came into force in November 2012 and introduced a new fee of €300 for registration certificates

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 ceased with effect from the 1 January 2012.

In April 2013 a number of changes took place following a review of the employment permits system and required current skills to facilitate access by skilled workers to the labour market. Changes included a broadening of the Highly Skilled Occupations List to correlate with known shortages of key skills in the labour market. Highly skilled eligible occupations are now permissible across all economic sectors which require that skill. The labour market needs test was reduced from 8 weeks to 2 weeks with the requirement to advertise in a national newspaper reduced to 3 days, and a local newspaper or online for 3 days. All employment permit application forms were amended to reduce the requirements to submit additional documentation and there will be a 'greater focus' on the random checking of employment permits by the National Employment Rights Authority (NERA) to ensure adherence to the relevant legislation. A joint initiative by the Department of Enterprise, Jobs and Innovation and Department of Justice and Equality to provide a more 'coherent service' across both the permits and visa sections was announced with certain categories of non-EEA immigration permission holders, who have been offered employment in an occupation included in the Highly Skilled Occupations List, allowed to apply for an permit whilst already legally residing in the State. The Irish Naturalisation and Immigration Service (INIS) within the Department of Justice and Equality stated its intention to facilitate job interviews for highly skilled candidates and provide measures to permit persons to be employed in Ireland on a short term basis i.e. between 14 and 90 calendar days. Holders of Intra-Corporate Transfer Provider Employment Permits and Contract Service Provider employment permits were now to be allowed to apply for other types of Employment Permit subject to the normal criteria.

Following a review of immigration registration arrangements in place since June 2010, the Irish Naturalisation and Immigration Service, the Department of Jobs, Enterprise and Innovation, the Department of Health and the Health Service Executive agreed

reviewed immigration arrangements for non-EEA doctors recruited to the Irish public health service and effective as from November 2012. As from 1 November 2012, doctors presenting for registration or renewal at an immigration office would be provided with a 'Stamp 1' permission for 2 years upon production of a valid passport, letter of appointment for the public health service and an (endorsed) certificate of registration from the Irish Medical Council. Locums or doctors working in the private health sphere are not eligible. Exceptions apply for doctors in the trainee specialist division, those registered in the 'Supervised Division' of the Irish Medical Council's Register and those doctors already on a 'Stamp 4' permission.

Looking at non-EEA students studying in Ireland, a total of 16,828 first permits were issued to non-EEA national students for education reasons during 2012, mainly to nationals of Brazil, the U.S., China including Hong Kong, South Korea and Malaysia. The *Education in Ireland* campaign was rolled out in a number of markets including the U.S., China and Russia, with other initiatives such as social medial marketing and a pilot Student Ambassador programme in place to market Ireland as an education destination. A 'major education and research agreement' was signed during the year which will result in up to 5,500 scholarships for Brazilian students over the next four years. It noted that English language student numbers had increased by 16% since 2010.

Ireland's *Investing in Global Relationships: Ireland's Intercultural Education Strategy (2010-2015)* was formally launched in September 2010, and a new immigration regime for international students took effect from 1 January 2011. During 2012 the *Third Level Graduate Work Scheme* for access to the labour market for students after graduation continued to apply. Some 587 persons were registered under the Third Level Graduate Work Scheme as of 17 January 2013. In addition, during late 2011 and 2012 a number of administrative arrangements were published concerning students already in Ireland and whose permission may have 'timed out'. During 2012, and described as a 'final measure' to assist students transitioning to the new immigration regime, a 'student probationary extension' was announced for those who have been continuously resident in the State since before 1 January 2005. Eligible students will be allowed to continue to remain in Ireland for (up to) an additional two years and on specified conditions (a 'Stamp 2' permission) with no enrolment in a course of study required. They will be

permitted to work for a maximum of 40 hours per week without requiring a work permit. Private medical insurance will be required, and no recourse to 'publicly funded social assistance programmes' is permitted nor is family reunification. Approximately 2,700 persons received a two-year extension under this scheme during 2012.

The issue of suspected marriages of convenience continued to attract much news and political debate during 2012, in particular following a 2011 case before the Irish courts, *Izmailovic & Anor v. The Commissioner of An Garda Síochána*, 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 response to a Parliamentary Question during 2012, the Minister for Justice and Equality stated that he had asked Departmental officials to 're-examine the provisions in the Immigration Residence and Protection Bill 2010 and to draft amendments dealing with immigration related marriages of convenience and sham marriages'.

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 2012. A total of €1,295,844 was provided to organisations to promote integration and tolerance by the Office for the Promotion of Migrant Integration (OPMI) during 2012. Between 2008 and 2012, the Office of the Minister for Integration/Office for the Promotion of Migrant Integration gave grant funding of €12,607,210 for integration purposes, of which €7,470,642 went to integration funds and grants to other organisations; €3,282,027 went to City/County Councils; €1,760,941 went to national sporting organisations; and 93,600 went to faith-based organisations. Much media discussion took place in 2012 regarding discussions and findings related to patronage of schools.



## 2. Major Developments in Migration and Integration Policy

### *Government and Departmental Strategy Documents*

Reviews of the 2011 *Programme for Government Common Statement* took place during 2012 and 2013. The *Programme for Government: Annual Report 2012* commented on progress within a number of key areas by the Government. Within the economic sphere, it was noted that the Irish Short-Stay Visa Waiver Programme was under review to 'ensure that its potential to attract visitors from key target markets is maximised during the 2012 London Olympics'. The introduction of the Immigrant Investor Programme and Start-up Entrepreneur Scheme was also highlighted in the report as allowing for 'people who make considerable investment in Irish jobs permission to reside in Ireland.' The launching of the new 'Education in Ireland' umbrella brand for international marketing of the Irish Higher Education and English Language Sectors also took place. The 'Education in Ireland' campaign continued (primarily in the USA, China and Russia) and during 2012, a 'major education and research agreement was signed' which will see up to 5,500 scholarships for Brazilian nationals to come to Ireland to study over the next four years. The Annual Report also noted that the citizenship application process had been improved, with efforts 'ongoing to improve waiting time and efficiencies further'.<sup>1</sup> The 2013 Annual Report commented on 2012 activities, reporting that the Short-Stay Visa Waiver Programme had been extended for a further four year period with the number of applicable countries increased to seventeen.<sup>2</sup> Visits from the countries covered by the Programme 'increased by 21 per cent in the twelve months following its introduction'.<sup>3</sup> During the 2012 London Olympics, more than 30 countries sent teams or athletes to Ireland for pre-Olympic training during the year with all Olympic accreditation documentation issued to competitors, coaches, officials and media representatives was accepted in lieu of an Irish visa for those wishing to visit Ireland. The 2013 Report noted the continued roll-out of a multi-entry visa regime for

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<sup>1</sup> Government of Ireland (2012). *Programme for Government: Annual Report 2012*. Available at [www.taoiseach.gov.ie](http://www.taoiseach.gov.ie).

<sup>2</sup> By November 2013, this number had increased to 18 countries. On 14 November 2013, the Minister for Justice and Equality announced that of 18 November 2013, citizens of Thailand will be able to avail of the Irish Short-stay Visa Waiver Programme also. See Minister for Justice and Equality (14 November 2013). 'Minister for Justice, Equality and Defence, Alan Shatter, TD, announces addition of Thailand to Visa Waiver Programme. Tourist and other short-stay visitor numbers likely to rise.' *Press Release*. Available at [www.justice.ie](http://www.justice.ie).

<sup>3</sup> Government of Ireland (2013). *Programme for Government: Annual Report 2013. Year 2: Rebuilding*. Available at [www.taoiseach.gov.ie](http://www.taoiseach.gov.ie).

business travellers, starting with the Gulf Region (2011), followed by Russia and China (2012) and expected to extend to India (2013). The regime allows for the granting of visa for up to a three-year duration.

### *Legislation*

The *Qualifications and Quality Assurance (Education and Training) Act 2012* was enacted in 2012 and provides for the establishment of a merged accreditation body. Quality and Qualifications Ireland was subsequently established on 6 November 2012 under the Act and is an amalgamation of four bodies that have both awarding and quality assurance responsibilities: the Further Education and Training Awards Council (FETAC), the Higher Education and Training Awards Council (HETAC), the National Qualifications Authority of Ireland (NQAI) and the Irish Universities Quality Board (IUQB).<sup>4</sup> The 2012 Act designated the creation of an authority as to include the promotion, maintaining and further development of the education Framework as well as to advise the Minister in relation to national policy in the area of quality assurance and enhancement in education and training. The authority is to approve the use of the international education mark by providers and to establish and maintain a database providing information on awards recognised within the Framework. In particular, a code of practice to be complied with by providers of programmes to international learners is provided for, to be published by the new authority and to result in accreditation with an 'international education mark'. A register of providers in possession of this international education mark will be maintained. The new authority will also undertake on-going liaison with international awarding bodies with regard to the recognition of non-Irish qualifications.

*The Criminal Justice (Female Genital Mutilation) Act 2012* was passed in March 2012 following much parliamentary discussion and commenced on 20 September 2012. It prohibits female genital mutilation and related offences (including an extra territorial aspect) and seeks to act as a deterrent. The definition of female genital mutilation (FGM) in the Act was broadly based on the World Health Organisation (WHO) definition. The Act removes the possibility of a person relying on a defence of the female's [or her parent or legal guardian's] "consent" to a charge of having committed the act or of

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<sup>4</sup> [www.qqi.ie](http://www.qqi.ie).

having attempted to commit an act of FGM. The 2012 Act states that a person is guilty of an offence if the ‘...person does or attempts to do an act of female genital mutilation’ or if they should remove or attempt to remove a girl or woman from the State ‘where one of the purposes for the removal is to have an act of female genital mutilation done to her.’ A person will also be guilty of an offence if they do or attempt to undertake an act of FGM in a place other than Ireland if it is on board an Irish ship, on an aircraft registered in Ireland or ‘by a person who is a citizen of Ireland or is ordinarily resident in the State, and would constitute an offence in the place in which it is done.’ In addition, provisions for the protection of victims during legal proceedings were also included. Punishment is up to 14 years imprisonment and/or a fine; for a summary conviction, the penalty is a fine of up to €5,000 and/or imprisonment for up to 12 months or both. 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.<sup>5</sup>

In late 2012 the Minister for Justice, Equality and Defence published the general scheme of the *Criminal Law (Human Trafficking) (Amendment) Bill*.<sup>6</sup> The *Criminal Law (Human Trafficking) (Amendment) Act 2013* came into operation in August 2013.<sup>7</sup> The 2013 Act introduces a number of changes in substantive criminal law and criminal procedure in relation to trafficking offences. The Act replaces and expands the original definition of exploitation in the *Criminal Law (Human Trafficking) 2008 Act*. This now covers trafficking for the purposes of forced begging and incorporates the definition of begging set out in the *Criminal Justice (Public Order) Act 2011*. The 2013 Act focuses on the phenomenon of begging as a form of forced labour. For this purpose it incorporates the definition of forced labour in the International Labour Organisation *Convention No. 29*

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<sup>5</sup> 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](http://www.akidwa.ie).

<sup>6</sup> Department of Justice and Equality (2012). General Scheme of the Criminal Law (Human Trafficking) (Amendment) Bill 2012. Available at [http://www.justice.ie/en/JELR/Criminal%20Law%20\\_Human%20Trafficking\\_%20Amendment\\_%20Bill%202012%20-%20General%20Scheme.pdf/Files/Criminal%20Law%20\\_Human%20Trafficking\\_%20Amendment\\_%20Bill%202012%20-%20General%20Scheme.pdf](http://www.justice.ie/en/JELR/Criminal%20Law%20_Human%20Trafficking_%20Amendment_%20Bill%202012%20-%20General%20Scheme.pdf/Files/Criminal%20Law%20_Human%20Trafficking_%20Amendment_%20Bill%202012%20-%20General%20Scheme.pdf).

<sup>7</sup> Primarily to give effect to certain criminal law provisions of *EU Directive 2011/36/EU on preventing and combatting trafficking in human beings and protecting its victims, which replaced Council Framework Decision 2002/629/JHA on combatting trafficking in human beings*.

*on Forced Labour* (1930) into the definition of exploitation. This provides that “‘forced labour’ means a work or service which is exacted from a person under the menace of any penalty and for which the person has not offered himself or herself voluntarily”, excluding work or service of certain types such as that of normal civic obligations. Other exploitative activities are also covered such as trafficking for the purposes of criminal activities. Recital 11 of the Directive indicates that this may include exploitation of a person to commit pick-pocketing, shop-lifting, drug trafficking and similar activities. The Irish legislation sets out the concept of criminal activities in broad terms as including ‘an activity that constitutes an offence and that is engaged in for financial gain or that by implication is engaged in for financial gain’. The existing maximum penalty for conviction on indictment is life imprisonment.

It was announced in the latter part of 2012 that a new employment permits bill was to be published in the first quarter of 2013 and would include specific, technical provisions for protecting undocumented workers.<sup>8</sup> Heads of a new Bill had been approved by Government in April 2012.<sup>9</sup> A regulatory impact assessment (RIA) of a new bill was published in January 2013 and recognised a need for protection of exploited workers who are not legally working in Ireland.<sup>10</sup> The RIA outlined five key immediate objectives including the need to focus on current skills shortages (especially ICT<sup>11</sup>) in the Irish economy; to provide for more innovative application processes (such as online procedures) and to reduce the ‘administrative burden’ associated with applying for a permit; to cater for the accession of new EU Member States (such as Croatia in 2013); and to address ‘recent deficiencies’ in the legislation which would allow for ‘employers to benefit from (at the cost of the employee) from the ‘un-enforceability of employment contracts in situations where an employee does not hold an employment permit but is required to do so’. The RIA concluded that there was a need to ‘supplement Ireland’s

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<sup>8</sup> No bill had been published by time of writing.

<sup>9</sup> Minister for Jobs, Enterprise and Innovation quoted in Parliamentary Question (22 November 2012). Available at <http://oireachtasdebates.oireachtas.ie>.

<sup>10</sup> Available at [http://www.djei.ie/publications/ria/2013RIADraft\\_EP\\_Bill.pdf](http://www.djei.ie/publications/ria/2013RIADraft_EP_Bill.pdf). Regarding employees working illegally, and following the *Hussein v Labour Court & Anor* case of 2012, the RIA stated that it is was the ‘Department’s firm intention to amend the Employment Permits legislation in a precise manner so as to ensure that an employer may not benefit from the illegality of the contract of employment where they are found culpable in not ensuring a valid employment permit was in place for the employee concerned. To this end, the intention is to include the necessary provisions in the proposed Employment Permits Bill.’

<sup>11</sup> A review of the current national scheme for Intra-Corporate Transferees also took place during 2012.

skills stock through employment permits' and that a new legislative basis was needed to provide for greater flexibility to enhance Ireland's ability to respond to changing policy and operational priorities, in particular in light of acknowledged skills shortages in the information and communications technologies, high-tech manufacturing particularly biopharma, financial services sector, health sector and for those with languages and sales skills.

The *Immigration, Residence and Protection Bill 2010* had not been republished by November 2013. The *Immigration, Residence and Protection Bill 2010* was published in June 2010.<sup>12</sup> The 2010 Bill lapsed with the dissolution of the 30<sup>th</sup> Dáil (parliament) on 1 February 2011. It was subsequently restored to the Order Paper by the Minister for Justice and Equality and by year-end was awaiting Committee Stage. The Minister for Justice and Equality had initially signalled an intention to republish a new redrafted text of the *Immigration, Residence and Protection Bill 2010* by late 2012 (subject to time constraints arising from the implementation of EU/IMF/ECB commitments), but by mid-2012, stated that he believed that the frame of a new Bill would not be enacted before 2013. As of year-end, the new Bill had remained unpublished and in early 2013 it was announced that work remained on-going and that the Minister hoped to be in a 'position to bring a revised Bill to the Government for approval and publication later this year'.<sup>13</sup> During the year, the Minister indicated that he intended to address certain issues in a republished Bill including marriages of convenience, family reunification provisions and the protection of non-Irish nationals who were suffering domestic violence and whose immigration status may be adversely affected if they were to leave their abusive partner. He also stated that he would engage in further debate in the Oireachtas (houses of parliament) in relation to the content of the Bill, including on

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<sup>12</sup> 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.

<sup>13</sup> Parliamentary Question No. 46 (6 March 2013).

matters that may be contained in secondary legislation.<sup>14</sup> Commentary throughout the year on the drafting of the Bill and incorporation of amendments also reiterated the inclusion of a single protection procedure for applications for international protection.<sup>15</sup> Activity on progressing an immigration, residence and protection Bill continued during 2012. In early 2012 the Minister for Justice, Equality and Defence stated that it was his intention to progress the *Immigration, Residence and Protection Bill 2010* and ‘following development of key Government amendments, to return to the Oireachtas with this comprehensive legislative centrepiece of a wider programme of reform, in line with the Programme for Government’.<sup>16</sup> On 23 May 2012, the Minister outlined plans to frame a new Bill to the Oireachtas Committee on Justice, Defence and Equality. He noted that over 300 amendments to the existing Bill would need to be incorporated; that a delay in finalising amendments and producing amendments had arisen due to other timeframe obligations within the EU-IMF context; and that he did not anticipate the new Bill being enacted before 2013. He added that the benefit of a new Bill ‘...is that many of the issues that members would like to see addressed properly and that were not addressed adequately in the previous measure would now be addressed, facilitating a speedy enactment. It will only be then that we will be able to come to terms with the length of time that people are being held in the process and the fragmented nature of the structure.’<sup>17</sup> Work on the Bill continued during 2012,<sup>18</sup> on that basis, while also taking account of any intervening matters of relevance such as decisions by the Courts.<sup>19</sup> In the Department of Justice and Equality *Annual Report 2012*, it was noted that preparations continued for ‘elements of reform’ included in the Bill, such as the introduction of a

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<sup>14</sup> Parliamentary Question (13 March 2012), (26 April 2012).

<sup>15</sup> Measures were subsequently announced during 2013, particularly in October 2013 when processing of subsidiary protection claims was to be transferred at first instance to the Office of the Refugee Applications Commissioner (ORAC), to contain a personal interview and to include provisions for an oral appeal. This follows the judgment of the Irish High Court in case *M.M. v Minister for Justice, Equality and Law Reform* in January 2013.

<sup>16</sup> 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](http://www.inis.gov.ie).

<sup>17</sup> Oireachtas Committee on Justice, Defence and Equality (23 March 2012). Vote 24 - Department of Justice and Equality. Available at [www. http://debates.oireachtas.ie/JUS/2012/05/23/00005.asp](http://debates.oireachtas.ie/JUS/2012/05/23/00005.asp).

<sup>18</sup> And continued as of November 2013.

<sup>19</sup> Parliamentary Question No. 484 (23 April 2013). In April 2013, the Minister stated that it remained his objective ‘objective under this new approach, and mindful of our having to deal with the competing legislative demands of our EU/IMF/ECB Programme commitments, to be in a position to bring a revised Bill to Government for approval and publication later this year.’

single procedure for protection applicant, will be implemented on the enactment of the requisite legislation.’<sup>20</sup>

Some six pieces of secondary legislation by virtue of statutory instruments and relevant to the migration and international protection area were made in 2012: *The Immigration Act 2004 (Start-up Entrepreneur Programme) (Application for Permission) (Fee) Regulations 2012 (S.I. No. 259 of 2012)*; *The Immigration Act 2004 (Immigrant Investor Programme) (Application for Permission) (Fee) Regulations 2012 (S.I. No. 258 of 2012)*; *The Immigration Act 2004 (Visas) Order 2012 (S.I. No. 417 of 2012)*; *The Immigration Act 2004 (Registration Certificate Fee) Regulations 2012 (S.I. No. 444 of 2012)*; *The European Communities (Lawyers’ Establishment) Regulations 2003 (Qualifying Certificate 2013) Regulations 2012 (S.I. No. 540 of 2012)*; and *the European Union (Recognition of Professional Qualifications relating to the Profession of Pharmacist) Regulations 2012 (S.I. No. 235 of 2012)*. Of particular note, the *Immigration Act 2004 (Visas) Order 2012 (S.I. 417 of 2012)* revoked the *Immigration Act 2004 (Visas) (No.2) Order 2011 (S.I. No. 345 of 2011)*. It specifies classes of non-Irish nationals who are not required to be in possession of a valid Irish visa when landing in the State, including some family members of EU nationals who are holders of a ‘Residence card of a family member of a Union citizen’ as specified in Article 10 of Directive 2004/38/EC and some holders of travel documents issued in accordance with Section 28 of the *Geneva Convention 1951*. S.I. 417 of 2012 also specifies nationals of states which are required to be in possession of a valid Irish transit visa when arriving at a port in the State for purposes of passing through the port in order to travel to another state.<sup>21</sup> In March 2012 it was announced that Ireland’s first formal visa waiver programme<sup>22</sup> would be extended for four years via *S.I. No. 417 of 2012*. It also provides for visa free travel for certain nationalities who

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<sup>20</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>21</sup> Nationals of Afghanistan, Albania, Cuba, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Lebanon, Moldova, Nigeria, Somalia, Sri Lanka and Zimbabwe.

<sup>22</sup> The Programme is designed to ‘boost tourism and business, especially from emerging markets’. During 2012, Bosnia and Herzegovina were added to the existing list of 16 countries already covered, with fees waived for long-term residents from the countries covered by the Programme who live in the Schengen area. This is to be reviewed after six months; see Irish Naturalisation and Immigration Service (March 2012). See ‘Minister Shatter announces extension of Irish Short-stay Visa Waiver Programme’. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).



are primarily visitors to the U.K.<sup>23</sup> *The Immigration Act 2004 (Atypical Working Scheme) (Application for Permission) (Fee) Regulations 2013 (S.I. No.324 of 2013)* provided for a Scheme of the similar name and discussed below.

### *Immigration Guidelines for Victims of Domestic Violence*

In 2012 the Irish Naturalisation and Immigration Service (INIS) published New Immigration Guidelines for applying for an independent status for legally-resident non-EEA victims of domestic abuse whose immigration status is derived and/or dependent on that of the perpetrator of domestic violence<sup>24</sup>. The Guidelines were broadly welcomed and focus on instances whereby the victim is a foreign national whose immigration status is dependent on or derived from that of the perpetrator. An application can be made either by an individual or via their solicitor, and advise that someone will not 'have to remain in an abusive relationship' in order to preserve their 'entitlement to remain in Ireland' and can make a request for an 'independent immigration status'. No application fee will be required. Permission granted will generally be at the same level as that held as a dependent (noted as normally a 'Stamp 3' permission, however consideration regarding a requirement to work will subsequently be addressed as required<sup>25</sup>). The Guidelines also note that engagement in domestic violence behaviour can be regarded as breaching the 'good character' condition of a holder of an immigration permission in Ireland and could lead to a revocation or non-renewal of subsequent status.<sup>26</sup>

### *Habitual Residence Condition*

Much debate continued during 2012 and 2013 regarding both the implementation of a Habitual Residence Condition (HRC) regarding access to social security and the overall social welfare system. The *Social Welfare and Pensions (No.2) Act 2009* of December 2009 introduced amendments to the Habitual Residence Condition regarding

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<sup>23</sup> Until 31 October 2016 and for nationals of Bahrain, Belarus, Bosnia and Herzegovina, India, Kazakhstan, Kuwait, Montenegro, Oman, People's Republic of China, Qatar, Russian Federation, Saudi Arabia, Serbia, Turkey, Ukraine, United Arab Emirates and Uzbekistan.

<sup>24</sup> Irish Naturalisation and Immigration Service (2012). *Victims of Domestic Violence, Immigration Guidelines*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>25</sup> *Ibid.*

<sup>26</sup> Irish Naturalisation and Immigration Service (2012). *'Victims of Domestic Violence Immigration Guidelines'*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).



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 sets 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 of these amendments centred on the exclusion of those within the asylum system. A review of guidelines used in the determination of decisions related to habitual residence conditions took place via a working group within the Department of Social Protection during 2010 and 2011, with new guidelines subsequently published in 2012. The Minister for Social Protection described the review as to make guidelines clearer but also to 'improve consistency in decision making across the Department'.<sup>27</sup> These new guidelines were published on the Departmental website in September 2012<sup>28</sup> and detail, amongst other things, factors to be considered when determining an applicant's main centre of interest and future intention to remain in Ireland.

#### *Visa Waiver Programme and Other Visa Initiatives*

In March 2012 it was announced that the Short-Stay Visa Programme would be extended for four years with Bosnia and Herzegovina 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.<sup>29</sup> In November 2013, the Minister for Justice and Equality announced that as from 18 November 2013, citizens of Thailand could also avail of the Programme.<sup>30</sup>

The Short-Stay Visa Waiver Programme (which commenced 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*

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<sup>27</sup> Parliamentary Question Vol. 758 No. 1 (6 March 2012). Available at <http://debates.oireachtas.ie>.

<sup>28</sup> <http://www.welfare.ie/en/Pages/Habitual-Residence-Condition--Guidelines-for-Deciding-Offic.aspx>.

<sup>29</sup> 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](http://www.inis.gov.ie).

<sup>30</sup> Minister for Justice and Equality (2013). 'Minister for Justice, Equality and Defence, Alan Shatter, TD, announces addition of Thailand to Visa Waiver Programme. Tourist and other short-stay visitor numbers likely to rise.' *Press Release*. See [www.inis.gov.ie](http://www.inis.gov.ie).

to consider Ireland as an "add-on" element to their planned holiday'.<sup>31</sup> Initially launched as a pilot until the end of October 2012, the Programme provides 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 is 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 are permitted to remain in Ireland for a maximum of 90 days or the duration remaining on their UK leave to remain if shorter. Nationals of primarily 'emerging' markets were catered for under the initial 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).<sup>32</sup> 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.<sup>33</sup> Long-term nationals who are long-term legal residents in the U.K. will require a visa but without a fee stipulation.<sup>34</sup>

During 2012, some 38% more visits from countries covered under the Short-Stay Programme took place in comparison to 2010.<sup>35</sup> Overall, visits from the first seventeen

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<sup>31</sup> 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](http://www.inis.gov.ie).

<sup>32</sup> Irish Naturalisation and Immigration Service (2011). 'The Irish Short-Stay Visa Waiver Programme Information Note'. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>33</sup> *Ibid.*

<sup>34</sup> 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](http://www.inis.gov.ie).

<sup>35</sup> Department of Justice and Equality (2013). *Annual Policy Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

countries increased by 38% in 2012 compared to 2010, the last full year before the Programme's introduction.<sup>36</sup>

In its 2012 Annual Report, the Department of Justice and Equality noted that INIS continued to 'work closely' with UK counterparts to implement a 'reciprocal visa programme for short stay visitors', with particular reference to tourists and business visitors and facilitation of travel throughout the island of Ireland without two separate visas.<sup>37</sup> In 2013 the Minister for Justice and Equality remarked that Irish and UK officials continued to work on developing 'reciprocal visa arrangements for the Common Travel Area for introduction in the middle of next year' with the aim of a system whereby 'only one visa is required to travel to and around the Common Travel Area'.<sup>38</sup> The cross-checking of Irish visa applicant data with the UK immigration fingerprint database has been in operation since June 2012. In addition, the sharing of limited data related to applicants for Irish visas took place with the UK in the latter half of 2012. Between June 2012 and the end of the year, a cross-check of the fingerprints of almost 3,000 applicants for an Irish visa and the UK immigration fingerprint database took place. A further cross-checking of the fingerprints of 1,750 failed asylum seekers with UK immigration records also took place in which 'almost 30%' were matched to UK records.<sup>39</sup> In a year-end review, the Minister for Justice and Equality noted that as a result 'numerous incidences of identity swapping' and identification of visa applicants with 'adverse immigration histories in the UK' took place.<sup>40</sup> In a year-end review of 2012 developments, the Minister for Justice and Equality stated that he would be 'prioritising cooperation with the UK on initiatives such as a Common Travel Area visa...and systems for improved collection and sharing of visa data' in the coming year.<sup>41</sup>

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<sup>36</sup> Minister for Justice and Equality (14 November 2013). 'Minister for Justice, Equality and Defence, Alan Shatter, TD, announces addition of Thailand to Visa Waiver Programme. Tourist and other short-stay visitor numbers likely to rise.' *Press Release*. Available at [www.justice.ie](http://www.justice.ie).

<sup>37</sup> Department of Justice and Equality (2013). *Annual Policy Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>38</sup> Minister for Justice and Equality (14 November 2013). 'Minister for Justice, Equality and Defence, Alan Shatter, TD, announces addition of Thailand to Visa Waiver Programme. Tourist and other short-stay visitor numbers likely to rise.' *Press Release*. Available at [www.justice.ie](http://www.justice.ie).

<sup>39</sup> Irish Naturalisation and Immigration Service (2 January 2013). 'Shatter Press Release: Immigration in Ireland – 2012 in Review'. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

A further visa initiative announced during 2012 related to events under ‘*The Gathering Ireland 2013*’. Attendees with verified invitations from event organisers will be provided with a code to quote on their visa application which will ensure priority processing of a free-of-charge visa application.<sup>42</sup>

During 2012 it was also announced that as of 1 January 2013, Ireland will introduce a ‘Working Holiday Programme’ for young persons who are holders of a Republic of China (Taiwan) passport. This is a reciprocal arrangement with the Republic of China (Taiwan) which will also introduce a similar scheme for Irish passport holders. The Programme aims to promote ‘an appreciation of culture and way of life between Ireland and other countries and territorial entities’.<sup>43</sup>

In April 2012 streamlined immigration arrangements for the 2012 cruise ship season were announced in which visitors will be able to disembark quickly to avail of tours and visits. While all passengers and crew seeking to land in Ireland must present to an immigration officer and produce their passport (or other document) establishing identity and nationality, including a visa if required, and be subject to normal checks in accordance with various Immigration Acts, it is now open to an immigration officer to confine any checks to an inspection of all passports/travel documents and a list of passengers and crew as provided. The agent and operators of cruise ships landing in Ireland will be required to provide immigration authorities with information including a list of passengers and crew (and document details) not later than 72 hours (or 48 hours at weekends) before landing in Ireland. The agent and operators of cruise ships will also be required to facilitate the checking of passenger and crew travel documents by the immigration officer at time of landing in Ireland. Upon announcing these changes, it was noted that a 2010 report by Fáilte Ireland found that in 2010, some 202 calls to Irish ports were made by cruise ships bringing an estimated €20.3 million direct spend by tourists.<sup>44</sup>

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<sup>42</sup> *Ibid.*

<sup>43</sup> Irish Naturalisation and Immigration Service (2012). *Working Holiday Programme*. See [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>44</sup> Irish Naturalisation and Immigration Service (April 2012). *Minister Shatter announces streamlined immigration arrangements for cruise liners for 2012 season*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

### *Immigrant Investor Programme and Start-Up Entrepreneur Programme*

In July 2012 the Minister for Justice, Equality and Defence signed the *Immigration Act 2004 (Start-up Entrepreneur Programme) (Application for Permission) (Fee) Regulations 2012* (SI No. 259 of 2012), which prescribed a fee of €350 in respect of the making of an application for a permission under the Start-Up Entrepreneur Programme. It also waived that fee in respect of persons who have been sponsored by Enterprise Ireland. That same month, the Minister for Justice, Equality and Defence signed the *Immigration Act 2004 (Immigrant Investor Programme) (Application for Permission) (Fee) Regulations 2012* (SI No. 258 of 2012), which prescribed a fee of €750 in respect of the making of an application for a permission under the Immigrant Investor Programme.

At year end, it was noted that 14 applications had been approved so far representing a total investment in Ireland of over €10.4 million and that investment is expected to protect over 80 existing jobs and create 190 new jobs within the next 3 years.<sup>45</sup> Of these, 11 granted visas related to the Start-Up Entrepreneur Programme and 3 for Immigrant Investor Programme.<sup>46</sup>

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 representatives of IDA Ireland, Enterprise Ireland, and Departments of Finance; Jobs, Enterprise and Innovation; Justice and Equality; Foreign Affairs and Trade; Health and other Government Departments as the need arises. Applicants must be of good character and be able to support themselves while in Ireland.<sup>47</sup> Family reunification of a

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<sup>45</sup> Minister for Justice, Equality and Defence, Alan Shatter, T.D. as quoted in ‘Immigration in Ireland – 2012 in Review’. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>46</sup> The Irish Independent (27 January 2013). ‘Just three investors sign up to the ‘visa for cash’ scheme’. Available at [www.independent.ie](http://www.independent.ie).

<sup>47</sup> 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](http://www.inis.gov.ie).

spouse/partner and children is provided for as long as they can be supported by the entrepreneur, investor or other private means, and no social benefits will be provided.<sup>48</sup>

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.<sup>49</sup> The financial commitment will generally range from a once-off endowment of €500,000 for endowment-related investments to €2 million in the new Immigrant Investor low-interest bearing Government Bond: a once-off endowment of a minimum of €500,000 to a project with a ‘clear public benefit’ such as in the arts, education or sport;<sup>50</sup> a minimum €2 million investment, to be held for 5 years, in a designated Irish Government Immigrant Investor Bond; a minimum €1 million venture capital funding, for a minimum of 3 years, into an Irish business;<sup>51</sup> or a minimum €1million mixed investment in 50% property and 50% in Government securities.<sup>52</sup> The level of investment in business entities where jobs are being created or saved will generally be €1 million and the Department will be guided by and reliant upon the

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<sup>48</sup> ‘Speech by Minister for Justice and Equality Mr. Alan Shatter TD on Entrepreneur and Investor Schemes Seanad Eireann 9 February 2012’. *Press Release*.

<sup>49</sup> 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%20Entrepreneurs>

<sup>50</sup> Speech by Minister for Justice, Equality and Defence, Mr. Alan Shatter T.D. to Seanad Éireann (9 February 2012). See ‘Speech by Minister for Justice and Equality Mr. Alan Shatter TD on Entrepreneur and Investor Schemes Seanad Eireann 9 February 2012’. *Press Release*. 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* (2012). Available at <http://www.inis.gov.ie/en/INIS/Pages/New%20Programmes%20for%20Investors%20and%20Entrepreneurs>

<sup>51</sup> 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%20Entrepreneurs>. It was also stated that an investment into an Irish publicly quoted company ‘could be considered’ but the investment level would have to be ‘much higher’. See ‘Speech by Minister for Justice and Equality Mr. Alan Shatter TD on Entrepreneur and Investor Schemes Seanad Eireann 9 February 2012’. *Press Release*.

<sup>52</sup> ‘Special consideration’ could be given to those purchasing property which has been enforced by NAMA, in which case a single €1 million investment in property might be sufficient. See ‘Speech by Minister for Justice and Equality Mr. Alan Shatter TD on Entrepreneur and Investor Schemes Seanad Eireann 9 February 2012’. *Press Release*.

advice and expertise of IDA Ireland and Enterprise Ireland in assessing individual proposals.<sup>53</sup> 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';<sup>54</sup> funding of €75,000; and not be a 'drain on public funds'.<sup>55</sup> 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.<sup>56</sup>

### *Increase in Registration Fees*

Overall during 2012, an estimated 165,700 new applications were received by INIS, including applications for visas, residence, protection and citizenship. Almost 175,000 decisions were issued and over 96,700 new or renewed registrations were issued by the Garda National Immigration Bureau (GNIB).<sup>57</sup> All non-EEA nationals over the age of 16 years and in the State for longer than 90 days are required to register with the GNIB. At the end of 2012, approximately 121,000 non-EEA nationals had permission to remain in the State, the majority for work, family or study reasons and primarily from India (11%), Nigeria (9%), Brazil (9%), China (9%), Philippines (7%) and the US (7%).<sup>58</sup>

Much criticism followed the doubling of immigration registration fees in late 2012. In November of that year the cost of registration for all non-EEA nationals residing in Ireland for more than three months increased from €150 to €300. S.I. No. 444 of 2012

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<sup>53</sup> 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](http://www.inis.gov.ie). See also further details regarding an 'Evaluation Committee'.

<sup>54</sup> 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%20Entrepreneurs>

<sup>55</sup> See 'Speech by Minister for Justice and Equality Mr. Alan Shatter TD on Entrepreneur and Investor Schemes Seanad Eireann 9 February 2012'. *Press Release*.

<sup>56</sup> 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%20Entrepreneurs>

<sup>57</sup> Irish Naturalisation and Immigration Service (January 2013). '*Immigration in Ireland – 2012 in Review*'. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>58</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie). See Annex I for further cumulative yearly figures.



came into force in November 2012 and introduced a new fee of €300 for registration certificates. The Immigrant Council of Ireland (ICI) particularly criticised the introduction with five days notice and ‘without consultation’ and noted that Irish immigration registration fees were ‘now among the highest in Europe’.<sup>59</sup> Persons with exemptions from paying the fee include Convention Refugees and their reunified family members; those under 18 years; spouses, widow/ers, civil partners or surviving partners of Irish citizens<sup>60</sup>; spouses and dependents of EU nationals in possession of a permit under Directive 2004/38/EC; Programme Refugees <sup>61</sup> and victims of trafficking.<sup>62</sup> During 2012, a number of NGOs had lobbied for the exemption of victims of domestic violence also. In discussing the fee increase in Parliament, the Minister for Justice, Equality and Defence noted that the fee increase would be used to ‘meet a portion of the cost involved’ in a number of changes to the residence permits system, namely a ‘self-selecting online system’ as well as other developments. A new ‘common format EU Residence Permit’ is to replace the current registration certificate and to contain ‘individual biometrics indicators protected by a sophisticated encryption system and showing the holders’ immigration status in the State’.<sup>63</sup>

### *Economic Policy*

During 2012, the link between legal migration, mobility and economic growth continued to be highlighted by Government. In a year-end review of 2012 activities, the Minister for Justice and Equality stated that he intended to prioritise initiatives to reform the immigration regime in Ireland so as to ‘contribute to investment in the State and to assist in economic development’, with the Department of Justice and Equality ‘playing a full part in restoring our country to economic health’.<sup>64</sup>

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<sup>59</sup> RTE (18 November 2012). ‘Immigrant Council of Ireland criticises doubling of registration fee’. Available at [www.rte.ie](http://www.rte.ie).

<sup>60</sup> Within the meaning of the *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010*.

<sup>61</sup> See Irish Naturalisation and Immigration Service (2012). ‘Immigration Certificates of Registration issued to non-EEA nationals’. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>62</sup> In Parliamentary Question No. Vol. 788 No. 1 (16 January 2013), it was noted that during 2012, the list of exempt categories accounted for ‘almost 24.4% of the total numbers registering. In 2012, this amounted to 22,781 persons and €3.78 million in fees waived.’

<sup>63</sup> Parliamentary Question No.517 (27 November 2012). Available at <http://debatesoireachtas.oireachtas.ie>.

<sup>64</sup> Minister for Justice, Equality and Defence, Alan Shatter, T.D. as quoted in Irish Naturalisation and Immigration Service (2013). ‘Immigration in Ireland – 2012 in Review’. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).



During 2012 the Department of Jobs Enterprise & Innovation (DJEI) stated that it had reviewed its processes and identified a number of improvements and opportunities which will enhance the employment permit regime for the benefit of the economy. This included working with Department of Justice and Equality to provide a more coherent service across the employment permit regime and visa regime including policy convergence, greater information sharing and unified communications from both Departments in respect of labour market access, and improving information on the DJEI website to better explain the employment permit system and the supporting policies and procedures.<sup>65</sup>

In April 2013 a number of changes took place following a review of the employment permits system and required current skills to facilitate access by skilled workers to the labour market.<sup>66</sup> With the aim of ensuring that Ireland has an 'attractive Employment Permits regime for employers and prospective employees to facilitate access to skilled foreign nationals in areas where there are demonstrable skills shortages especially in the ICT sector', changes were announced in tandem with other Government initiatives to increase the domestic supply of skilled labour as well as to provide for adjustments 'as and when sufficient domestic supply becomes available'. Changes included a broadening of the Highly Skilled Occupations List and to correlate with known shortages of key skills in the labour market. Highly skilled eligible occupations are now permissible across all sectors in recognition that a particular short supply skill will be experienced across all sectors which require that skill. The list of Ineligible Categories of Employment for Employment Permits occupations was updated to cater for particular shortages in relation to certain occupations involving the necessity of speaking a non-European Economic Area language. The labour market needs test was reduced from 8 weeks to 2 weeks with the requirement to advertise in a national newspaper reduced to 3 days, and a local newspaper or online for 3 days. All employment permit application forms were amended to reduce the requirements to submit additional documentation and there will be a 'greater focus' on the random checking of employment permits by the National Employment Rights Authority (NERA) to ensure adherence to the relevant

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<sup>65</sup> Department of Jobs, Enterprise and Innovation (January 2013). As of April 2013, certain phases had been announced including a broadening of the highly skilled occupations list; the reduction of a labour market needs test to 2 weeks and newspaper advertisement to 3 days; and the acceptance of applications for permits from certain categories of persons while they are already in Ireland. See [www.djei.ie](http://www.djei.ie).

<sup>66</sup> Effective for all applications considered from 10<sup>th</sup> April 2013 onwards.

legislation. Changes in the appeals process were also announced as were faster processing times. A joint initiative by the Department of Enterprise, Jobs and Innovation and Department of Justice and Equality to provide a more 'coherent service' across both the permits and visa sections was announced with certain categories of non-EEA immigration permission holders, who have been offered employment in an occupation included in the Highly Skilled Occupations List allowed to apply for an permit whilst already legally residing in the State. The Irish Naturalisation and Immigration Service (INIS) within the Department of Justice and Equality stated its intention to facilitate job interviews for highly skilled candidates<sup>67</sup> and provide measures to permit persons to be employed in the State on a short term basis i.e. between 14 and 90 calendar days. Holders of Intra-Corporate Transfer Provider Employment Permits and Contract Service Provider Employment Permits were now to be allowed to apply for other types of Employment Permit subject to the normal criteria. In addition, since April 2013, non-EEA nationals who are already lawfully resident in the State and hold a valid Certificate of Registration with Stamps 1, 1A, 2, 2A and 3 immigration permissions, and who have been offered employment in an occupation included in the "Highly Skilled Occupations" list are allowed to apply for an employment permit, whilst already legally residing in the State.<sup>68</sup>

#### *Removal of Transitional Arrangements Regarding Bulgarian and Romanian Nationals*

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 ceased with effect from the 1 January 2012.<sup>69</sup>

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<sup>67</sup> From 15 July 2013 the Department of Justice and Equality provide a pilot scheme for highly skilled job interview authorisations whereby non-EEA nationals selected for interview for an occupation on the Highly Skilled Occupations list, will, subject to normal immigration requirements and procedures, be granted permission to enter Ireland on a temporary basis (up to a maximum of 90 days from date of arrival). During this period, successful interviewees can also apply for an employment permit. See <http://www.djei.ie/labour/workpermits/highlyskilledjobinterview.htm>.

<sup>68</sup> See See <http://www.djei.ie/labour/workpermits/whatsnew19072013.htm>.

<sup>69</sup> See Department of Jobs, Enterprise and Innovation (20 July 2012). 'Labour market issues relating to 2005 EU Accession Treaty'. *Press Release*. Available at [www.djei.ie](http://www.djei.ie).

### *Recruitment of Foreign Workers*

The issue of recruitment and retention of non-EEA doctors attracted much media discussion during 2012. Following a review of immigration registration arrangements in place since June 2010, the Irish Naturalisation and Immigration Service, the Department of Jobs, Enterprise and Innovation, the Department of Health and the Health Service Executive agreed reviewed immigration arrangements for non-EEA doctors recruited to the Irish public health service and effective as from November 2012.

As from 1 November 2012, doctors presenting for registration or renewal at an immigration office would be provided with a 'Stamp 1' permission for 2 years upon production of a valid passport, letter of appointment for the public health service and an (endorsed) certificate of registration from the Irish Medical Council. Locums or doctors working in the private health sphere are not eligible. Exceptions apply for doctors in the trainee specialist division, those registered in the 'Supervised Division' of the Irish Medical Council's Register and those doctors already on a 'Stamp 4' permission.<sup>70</sup>

### *Non-EEA Students*

A total of 16,828 first permits were issued to non-EEA national students for education reasons during 2012, mainly to nationals of Brazil (5,431), the U.S. (2,858), China including Hong Kong (1,335), South Korea (818) and Malaysia (705).<sup>71</sup>

The Annual Report 2013 of the Programme for Government noted that the *Education in Ireland* campaign had been rolled out in a number of markets including the US, China and Russia, with other initiatives such as social medial marketing and a pilot Student Ambassador programme in place to market Ireland as an education destination. A 'major education and research agreement' was signed during the year which will result in up to 5,500 scholarships for Brazilian students over the next four years. It noted that English language student numbers had increased by 16% since 2010. In November 2012 more than 60 academics from 16 Irish higher education institutions travelled to

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<sup>70</sup> Irish Naturalisation and Immigration Service (2012). 'Immigration Arrangements for non-EEA Doctors recruited to the Public Health Service to commence on 1 November 2012'. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>71</sup> Eurostat.

India to attract more students to study in Ireland, with the delegation led by Enterprise Ireland, and including representatives from Science Foundation Ireland, IDA Ireland and PayPal. The Minister of State for Training and Skills stated that the mission was to send out a 'strong message to prospective Indian students that an Irish education is valued by international employers and will provide a real boost to their future career prospects'. He also noted that it was estimated that 'every 100 additional international students who come to Ireland support the creation of 15 local jobs, through spending on tuition, accommodation and other living expenses'.<sup>72</sup>

Ireland's *Investing in Global Relationships: Ireland's Intercultural Education Strategy (2010-2015)* was formally launched in September 2010, and a new immigration regime for international students took effect from 1 January 2011. The Strategy contains a commitment to examine the current work concession for non-EEA students of 20 hours per week in term time and 40 hours in holiday periods. This review is to be conducted by the Interdepartmental Group on Student Immigration, with any decision on the issue to be taken by Government. This review has been postponed until the full impact of the new immigration regime has been evaluated. It is expected that this review will take place during 2013.<sup>73</sup> During 2012 the *Third Level Graduate Work Scheme* for access to the labour market for students after graduation continued to apply. In 2011 the Scheme 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.<sup>74</sup> The stated purpose of this Scheme is to allow legally resident non-EEA third level graduates to remain in Ireland for the purpose of seeking employment and applying for a Green Card or Work Permit.<sup>75</sup> Some 587 persons were registered under the Third Level Graduate Work Scheme as of 17 January 2013.<sup>76</sup>

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<sup>72</sup> The Irish Times (21 November 2012). 'Delegation in India to attract students'. Available at [www.irishtimes.com](http://www.irishtimes.com).

<sup>73</sup> Irish Naturalisation and Immigration Service (January 2013).

<sup>74</sup> 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](http://www.inis.gov.ie).

<sup>75</sup> Department of Jobs, Enterprise and Innovation (February 2012). *Employment Permits Arrangements – Third Level Graduate Scheme*. Available at [www.djei.ie](http://www.djei.ie).

<sup>76</sup> Irish Naturalisation and Immigration Service (April 2013). This figure is taken from a snapshot of all non-EEA students taken on 17 January 2013.

In addition, during late 2011 and 2012 a number of administrative arrangements were published concerning students already in Ireland and whose permission may have ‘timed out’.<sup>77</sup> During 2012, and described as a ‘final measure’ to assist students transitioning to the new immigration regime, a ‘student probationary extension’ was announced for those who have been continuously resident in the State since before 1 January 2005.<sup>78</sup> The 2012 arrangements will allow eligible students to continue to remain in Ireland for (up to) an additional two years and on specified conditions (a ‘Stamp 2’ permission). No enrolment in a course of study will be required and they are permitted to work for a maximum of 40 hours per week without requiring a work permit. Private medical insurance will be required, and no recourse to ‘publicly funded social assistance programmes’ is permitted nor is family reunification.<sup>79</sup> It was also noted that after this ‘probationary’ period, students will be able to apply for a more ‘permanent’ status (a ‘Stamp 4’ permission) if conditions have been met.<sup>80</sup> Approximately 2,700 persons received a two-year extension under this scheme during 2012.<sup>81</sup>

### *‘Marriages of Convenience’*

The issue of suspected marriages of convenience continued to attract much news and political debate during 2012, in particular following a 2011 case before the Irish courts, *Izmailovic & Anor v. The Commissioner of An Garda Síochána*,<sup>82</sup> which found that ‘marriages of convenience’ are not unlawful in Irish law and the Gardaí are not

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<sup>77</sup> The New Regime for Full-Time non-EEA students commenced on 1 January 2011 and introduced a (general) maximum residence period of 7 years for nationals of non-EEA countries who were enrolled in an eligible academic course of study in Ireland. The New Regime applied to all non-EEA students who came to Ireland after 1 January 2011 and to all non-EEA nationals already resident as students on that date. Special provisions were made to facilitate students who exceeded the 7 year timeframe on the date of introduction. These provisions have been extended on several occasions since the introduction of the New Regime to allow ‘timed-out’ students to complete their studies, avail of post-study pathways or arrange for their departure from Ireland. See Irish Naturalisation and Immigration Service (October 2012). *2004 Student Probationary Extension*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>78</sup> Students not currently registered and with a ‘significant’ gap in registrations are ineligible, as are those no longer resident in Ireland.

<sup>79</sup> This was later extended to include trainee accountants previously on a ‘Stamp 1A’ permission.

<sup>80</sup> Irish Naturalisation and Immigration Service (October 2012). *2004 Student Probationary Extension*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>81</sup> Irish Naturalisation and Immigration Service (April 2013).

<sup>82</sup> *Izmailovic & Anor v. The Commissioner of An Garda Síochána* [2011] IEHC 32 (2011).

empowered to prevent their solemnisation if they suspected it was for immigration purposes.<sup>83</sup>

The 2012 Annual Report of the Registrar General noted that while no statistics on the incidence of marriages of convenience are available, ‘anecdotal evidence suggests that the increase in the number of civil marriages from 2008 is partly accounted for by marriages of convenience, following the Judgment by the European Court of Justice in the Metock case’. Some 883 (from 780 in 2011) notifications of intention to marry were made during 2012 concerning non-Irish EU nationals and non-EU citizens, with 705 (from 600 in 2011) marriages registered in respect of the notifications. All marriages may not relate to the year notified and/or registered however. The Annual Report surmises that while ‘it would be wrong to characterise all marriages between EU and non-EU nationals as marriages of convenience, the low rate of conversion of notices of intention to marry to actual marriage would suggest that marriages of convenience are a significant problem’, a problem ‘borne out’ by the experience of registrars, amongst others. A legislative solution is noted as needed to enable steps to prevent marriages of convenience from taking place.<sup>84</sup>

In response to a Parliamentary Question during 2012, the Minister for Justice and Equality stated that he had asked Departmental officials to ‘re-examine the provisions in the Immigration Residence and Protection Bill 2010 and to draft amendments dealing with immigration related marriages of convenience and sham marriages’. He also noted that a ‘similar approach is being taken in respect of the Free Movement regulations that transposed the EU Directive into Irish law’ and that Departmental officials were working with the Garda National Immigration Bureau (GNIB) and the Department of Social Protection to ‘identify a range of other initiatives, including legislative’ to ‘make such marriages less prevalent and, where they do take place, less beneficial to those who engage in them’. The Minister also highlighted difficulties in both proving such

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<sup>83</sup> Joyce, C. (2012). *Misuse of the Right to Family Reunification: Ireland*. Available at [www.emn.ie](http://www.emn.ie) and [www.esri.ie](http://www.esri.ie). *Izmailovic & Anor v. The Commissioner of An Garda Síochána* [2011] IEHC 32 (2011)

<sup>84</sup> General Register Office (2013). *Annual Report of an tArd-Chlárúitheoir to the Minister for Social Protection under Section 11 of the Civil Registration Act 2004 for the year 2012*. Available at [www.welfare.ie](http://www.welfare.ie).

marriages and in employing criminal sanctions due to the constitutional protection of marriage.<sup>85</sup>

### *Family Reunification*

In early 2012 the Minister for Justice, Equality and Defence announced the Departmental prioritisation of the development of a comprehensive policy approach to family reunification or settlement and focussed on cases involving non-EEA family members of Irish citizens and where both parties come from outside the EEA.<sup>86</sup> As of year end, it was noted by the Department that all policy options in this regard were presently being examined.<sup>87</sup> Much public debate and NGO activity with regard to the topic of family reunification continued during 2012. In January, the Immigrant Council of Ireland (ICI), which led the transnational research project, 'Family Reunification – a barrier or facilitator of integration', called for the inclusion of provisions on family reunification in a republished immigration, residence and protection bill and noted high levels of Ministerial discretion.<sup>88</sup> It noted that it was 'shameful' that Ireland was so far behind other Member States with regard to family reunification.<sup>89</sup>

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

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<sup>85</sup> Parliamentary Question No. 427 (13 March 2012).

<sup>86</sup> Irish Naturalisation and Immigration Service (January 2012). 'Immigration in Ireland 2011 – a year-end snapshot – major changes and more to follow'. *Press Release*. Available at [www.inis.gov.ie](http://www.inis.gov.ie).

<sup>87</sup> Irish Naturalisation and Immigration Service (January 2013). In a Parliamentary Question in February 2013, the Minister for Justice, Equality and Defence further elaborated that such a policy document was forthcoming: 'Work has been underway on this for some time and it will include guidelines on all of the main issues including eligibility, dependency, the financial resources necessary to sponsor a dependent and any personal requirements the person seeking entry must meet.' Parliamentary Question (6 February 2013). Available at [oireachtasdebates.oireachtas.ie](http://oireachtasdebates.oireachtas.ie).

<sup>88</sup> Immigrant Council of Ireland (January 2013). *ICI News Bulletin – Issue 93*. Available at [www.immigrantcouncil.ie](http://www.immigrantcouncil.ie).

<sup>89</sup> Immigrant Council of Ireland (January 2012). 'Ireland Must Develop Effective Family Reunification Policies'. *Press Release*. Available at [www.immigrantcouncil.ie](http://www.immigrantcouncil.ie).



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 October 2012, a newspaper article stated that the Government had paid settlement costs of almost €1.2 million in relation to *Zambrano*-linked cases involving non-EU parents of Irish citizen children.<sup>90</sup>

### *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 2012. A total of €1,295,844 was provided to organisations to promote integration and tolerance by the Office for the Promotion of Migrant Integration (OPMI) during 2012. As of year-end 2012, during the year a total of €175,000 had been assigned to sporting organisations; €156,240 to City/County Councils; and €964,604 in general integration funds to a variety of organisations. Between 2008 and 2012, the Office of the Minister for Integration/Office for the Promotion of Migrant Integration gave grant funding of €12,607,210 for integration purposes, of which €7,470,642 went to integration funds and grants to other organisations; €3,282,027 went to City/County Councils; €1,760,941 went to national sporting organisations; and 93,600 went to faith-based organisations.<sup>91</sup>

The OPMI continued to fund the Employment of People from Immigrant Communities (EPIC) Programme during 2012, with over €444,000 provided during the year and co-funding from the European Social Fund (ESF). The EPIC Programme is a training project for EU immigrants and non-EU immigrants on 'Stamp 4' classification and provides assistance in accessing employment or further training including training in English for work, interview skills, living and working in Ireland and IT and is operated by Business in the Community (BITC).<sup>92</sup> Training takes the form of a six-week training module followed up by individual support with a Training and Employment Officer. As of October 2012, training for over 1,300 persons from 93 nationalities had been provided,

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<sup>90</sup> The Irish Times (15 October 2012). 'State pays €1.2m to settle cases with non-EU parents'. Available at [www.irishtimes.com](http://www.irishtimes.com).

<sup>91</sup> See [www.integration.ie](http://www.integration.ie).

<sup>92</sup> See [www.integration.ie](http://www.integration.ie).



with 69% of that number either in work, further training or volunteering. Collaboration between BITC and companies/NGO also takes place with an on-going emphasis on network building.<sup>93</sup>

Funding continued during 2012 from the OPMI to the New Communities Partnership (a migrant-led NGO) to employ an immigration law expert to train volunteers on citizenship matters who could then provide information and advice to citizenship applicants on eligibility criteria and completion of forms.

Much media discussion took place in 2012 regarding discussions and findings related to patronage of schools. During 2012 the Minister for Education and Skills drew up an Action Plan in response to the report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector. As a first step in the plan, surveys were conducted in 5 pilot areas around the country to establish the level of parental demand for a wider choice in the patronage of primary schools within these areas, with results published in December.<sup>94</sup> Upon the launch of the Action Plan in June, the Minister stated that the aim was to make ‘real and substantial progress on ensuring diversity of choice of primary schools for parents’.<sup>95</sup> In late December 2012, the Minister for Education published the findings of surveys of parental preferences on primary school patronage in five pilot areas, showing parental demand for a greater choice of patron in each town. At an event organised by the Immigrant Council of Ireland (ICI) in May 2012, the special representative of the UN Secretary General for migration, Peter Sutherland, warned of ‘ethnic polarisation’ developing in Irish schools unless increased integration took place. He noted that ‘evidence shows us that greater segregation leads to lower employment, lower earnings, lower education participation’.<sup>96</sup>

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<sup>93</sup> Office for the Promotion of Migrant Integration (30 October 2012). ‘EPIC Programme Graduation Ceremony, 30<sup>th</sup> October 2012’. *Press Release*.

<sup>94</sup> Department of Education and Skills (2012). *Report on the pilot surveys regarding parental preferences on primary school patronage*. Available at [www.education.ie](http://www.education.ie).

<sup>95</sup> Department of Education and Skills (22 June 2012). ‘Minister Quinn outlines his Action Plan in response to the report of the Advisory Group to the Forum on Patronage and Pluralism in the Primary Sector’. Available at [www.integration.ie](http://www.integration.ie).

<sup>96</sup> As quoted in The Irish Times (26 May 2012). ‘Schools ‘need to integrate’’. Available at [www.irishtimes.com](http://www.irishtimes.com).

### *Citizenship and Naturalisation*

Some 25,000 applications for citizenship were decided in 2012, with 35 citizenship ceremonies taking place for conferring of citizenship on almost 20,000 persons.<sup>97</sup>

The issue of processing times for applications for citizenship has attracted considerable debate in recent years, and received additional media attention during 2012. The Department of Justice and Equality noted in its *Annual Report 2011* that as from mid-2012 all non-complex cases (noted as 70 per cent of all applications) will be completed within six months.

### *Health*

A seventh update to the national Health Service Executive *National Intercultural Health Strategy 2007-2012* was published in July 2012.<sup>98</sup> The National Intercultural Health Strategy was launched in 2007 and designed to 'ensure that the 'HSE provides a quality health service equally to all, responds appropriately to the specific health and social care needs of new and well established minority communities and is an employer of choice for many'. The 2012 update primarily outlined developments with regard to language and communication, notably *A Guideline for Communication in Cross-Cultural General Practice Consultations*<sup>99</sup> and a 2012 resource published by the HSE National Social Inclusion Unit which details good practice and practical information for HSE staff in planning, managing and assuring quality translations of health related material into other languages.<sup>100</sup>

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<sup>97</sup> Government of Ireland (2013). *Programme for Government: Annual Report 2013*. Available at [www.taoiseach.gov.ie](http://www.taoiseach.gov.ie).

<sup>98</sup> Health Service Executive Social Inclusion Unit (2012). *National Intercultural Health Strategy 2007 – 2012, Update March 2012*. Available at [http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-8TEKBM15454716-en/\\$File/March%202012%20NIHS%20Update%202.pdf](http://www.integration.ie/website/omi/omiwebv6.nsf/page/AXBN-8TEKBM15454716-en/$File/March%202012%20NIHS%20Update%202.pdf).

<sup>99</sup> Developed by the Centre for Participatory Strategies, Co. Galway and the HSE Social Inclusion Unit, Dublin. This research was funded by the Health Research Board and the HSE Social Inclusion Unit.

<sup>100</sup> Health Service Executive National Social Inclusion Unit (2012). *Lost in Translation? Good Practice Guidelines for HSE Staff in Planning, Managing and Assuring Quality Translations of Health Related Material into Other Languages*. Available at <http://www.hse.ie/eng/services/Publications/services/SocialInclusion/lostintranslationreport.pdf>.

### 3. Migration Movements

#### *Overall Trends*

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 recent years.

**Table 1: Gross and Net Migration Flows, 1987-2013**

<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 <sup>1</sup>	87.1	52.7	-34.4
2013 <sup>1</sup>	89.0	55.9	-33.1

Notes: <sup>1</sup> Preliminary

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

Emigration declined during the period of rapid economic growth, to a low of 25,600 in the twelve months to April 2002. Emigration increased with the onset of the Great Recession, to 72,000 in 2008-9 and to 89,000 in 2012-13. As a result, net migration, which had peaked at a net inward flow of almost 105,000 in 2006-7 turned negative in 2009-10 and was -33,100 in 2012-13, a similar level of net emigration as the previous year.

### **3.1 Inward Migration**

As noted above, immigration declined from a high of 151,000 in 2006-7 to a low of less than 42,000 in 2009-10. In more recent years inward migration has increased to over 50,000 per annum in each of the three most recent years 2010-2013. In most of the last 6 years, about 20,000 Irish nationals returned to Ireland. After 2009, with the onset of recession, returning Irish became the single largest component of inward migration, thus returning to a long established trend that obtained prior to EU enlargement in 2004. However, the number of Irish immigrants fell to less than 16,000 in the 12 months to 2013, its lowest level in decades, reflecting the severity of the Recession. As a result, returning Irish immigrants accounted for just 28% of immigrants in 2012-13.

**Table 2: Estimated Immigration by Nationality, 1996 – 2013**

	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 <sup>1</sup>	19.6	4.1	7.1	10.1	12.4	53.3
2012 <sup>2</sup>	20.6	2.2	7.2	10.4	12.4	52.7
2013 <sup>2</sup>	15.7	4.9	7.4	10.9	17.1	55.9
%						
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 <sup>1</sup>	40.4	6.1	13.7	21.3	19.1	100.0
2012 <sup>2</sup>	42.8	6.0	14.8	22.2	14.4	100.0
2013 <sup>2</sup>	28.1	8.8	13.2	19.5	30.6	100.0

Notes: <sup>1</sup> Census of Population; <sup>2</sup> Preliminary

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

Available at [www.cso.ie](http://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 a little over 10,000 in each of the three years 2010-2013. Immigration from the Rest of the World, i.e. from outside the EU, declined with the Recession, but increased to over 17,000 in 2012-3, and accounted for over 30% of all immigrants in that year.

**Table 3: Estimated Immigration by Country of Origin, 2008 and 2013**

<i>12 months to April:</i>	<i>2008</i>		<i>2013<sup>1</sup></i>	
	000	%	000	%
UK	19.4	17.1	9.7	17.4
Old EU 13	14.5	12.8	10.3	18.4
New EU 12	45.5	40.1	11.8	21.1
Australia	7.1	6.3	5.3	9.5
Canada	2.0	1.8	1.1	2.0
USA	5.0	4.4	3.6	6.4
Rest of World	20.0	17.6	14.1	25.2
Total	113.5	100.0	55.9	100.0

Notes: <sup>1</sup> Preliminary

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

Available at [www.cso.ie](http://www.cso.ie).

Table 3 shows estimated immigration by country of origin - a new classification in the CSO series available in the 2013 report from the CSO. Immigration from all countries declined between 2007-8 and 2012-13. Similar to the patterns in immigration by nationality, the share of immigrants from the New EU members states (NMS) fell sharply, from 40% to 21%. Increased *shares* of immigrants are accounted for by the Old EU states, the Rest of the World, Australia and the USA. Given that the non-EU immigrants would have needed employment permits to work in Ireland, their increased shares in total immigration may relate to high skilled migration to fill skills shortages in the Irish labour market.

In terms of age distribution, the decline in immigrant numbers can be observed in each age group. Those aged 25-44 years currently constitute about half of the total inflow. Almost 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 17% of inward migrants in 2010 were children aged less than 15 years.

**Table 4: Estimated Immigration Flows classified by Age, 1991-2013**

End April	0-14	15-24	25-44	45-64	65+	Total
	<i>1,000s</i>					
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 <sup>1</sup>	6.1	14.6	26.9	4.3	1.3	53.3
2012 <sup>2</sup>	7.9	14.6	25.6	4.1	0.6	52.7
2013 <sup>2</sup>	9.3	12.9	28.6	4.6	0.4	55.9
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 <sup>1</sup>	3.1	6.4	13.6	2.2	0.7	26.0
2012 <sup>2</sup>	3.2	6.0	13.3	1.9	0.5	25.0
2013 <sup>2</sup>	3.9	6.3	15.4	2.4	0.1	28.2
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 <sup>1</sup>	3.0	8.2	13.3	2.1	0.7	27.2
2012 <sup>2</sup>	4.6	8.6	12.3	2.2	0.1	27.8
2013 <sup>2</sup>	5.4	6.6	13.2	2.2	0.3	27.7

Notes: <sup>1</sup> Census of Population; <sup>2</sup> Preliminary

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

## *Other Indicators of Immigration*

### *PPSN Allocations*

**Table 5: Personal Public Service Numbers Issued by Nationality, 2003-2013**

	<b>Irish</b>	<b>Non-Irish National</b>	<b>Total</b>
		<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	81.3	73.3	154.7
2013 <sup>1</sup>	59.8	62.6	122.5

Source: [www.welfare.ie](http://www.welfare.ie).

<sup>1</sup> 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 67,800 in 2011, although it increased to 73,300 in 2012, before falling again in 2013.

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.<sup>101</sup> The analysis shows that in 2011 37% of foreign nationals with new PPSNs issued in that year had employment activity during the year, but only 27% of those who were allocated a PPSN in 2006 were in employment at some stage during 2011. Over the longer time-frame, 27% of the almost 1,150,000 foreign nationals who were allocated PPSNs in the period 2002-2011 recorded some employment in Ireland during 2011.

The decline in employment of foreign nationals between 2006 and 2011 did not result in a corresponding increase in social welfare activity. Among those allocated a PPSN in

<sup>101</sup> Central Statistics Office (2013). *Foreign Nationals: PPSN Allocations and Employment, 2010-11*. Available at [www.cso.ie](http://www.cso.ie).



2006, employment dropped from 71,900 in 2009 to 55,700 in 2011. However, the social activity of this cohort increased from 55,800 to just 56,200 over the same period.

### *Visas*

During 2012, some 132,425 visa applications were received by Ireland.<sup>102</sup> A total of 88,345 applications were for entry visas, with 44,080 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.<sup>103</sup> Some 91% of all applications for entry visas were approved. The main country of nationality of persons applying for such visas during 2012 was India (16%), Russia (14%), China (11%), Nigeria (8%) and Saudi Arabia (5%).<sup>104</sup>

### ***Inflows of Workers from Non-EEA Countries***

It is possible to derive information on the trends in the numbers of non-EEA nationals<sup>105</sup> 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*.<sup>106</sup> 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.<sup>107</sup>

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<sup>102</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>103</sup> *Ibid.*

<sup>104</sup> Department of Justice and Equality (2012). *Annual Report 2011*. Available at [www.justice.ie](http://www.justice.ie).

<sup>105</sup> EU citizens and citizens of Norway, Iceland and Liechtenstein do not require Employment Permits in order to take up employment in Ireland.

<sup>106</sup> It was previously based on the *Aliens Act 1935*.

<sup>107</sup> 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 6: Employment Permits Issued and Renewed, 1998-2012**

<b>Year</b>	<b>Permits Issued</b>	<b>Permits Renewed</b>	<b>Total Permits Issued (including Group Permits)</b>
2012	2,919	1,088	4,007
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](http://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 6 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. Just over 4,000 employment permits were issued in 2012. This represented another decrease of about 20% in the number of permits issued year-on-year, and the decline mostly related to renewals which fell by almost a half.

Table 7 shows a breakdown of employment permits issued between 2010 and 2012. While the overall number of employment permits fell during 2011 and 2012, there were steady but slow increases in Green Cards, intra-corporate transfers and training permits. However, the number of employment permits for dependent spouses has declined steadily over time – from 1,970 in 2010 to 850 in 2012. From June 2009, the

Spousal/Dependant Scheme was restricted to only spouses and dependants of Green Cards Holders and holders of Hosting Agreements.

**Table 7: Employment Permits, 2010-2012**

<b>Year</b>	<b>Type of Permit</b>	<b>New</b>	<b>Renewal</b>	<b>Total</b>
<b>2012</b>		<b>2,913</b>	<b>1,085</b>	<b>3,998</b>
	Work Permit	1,189	444	1,633
	Green Card	1,010	0	1,010
	Intra-company Transfer (ICT)	378	105	483
	Spousal/Dependant	314	536	850
	Training	22	0	22
<b>2011</b>		<b>3,179</b>	<b>2,012</b>	<b>5,191</b>
	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
<b>2010</b>		<b>3,541</b>	<b>3,935</b>	<b>7,476</b>
	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

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

*Note:* Totals may be different to published figures.

**Table 8: Employment Permits Issued and Renewed by Country of Nationality, 2003-2012 (Major Sending Countries)**

	2003	2004	2007	2008	2009	2011	2012		
							<i>New</i>	<i>Renewals</i>	<i>Total</i>
Australia	1149	908	808	410	193	59	46	13	59
Bangladesh	1038	1009	666	277	180	41	21	4	25
Brazil	1554	1512	1173	601	297	162	65	121	186
Canada	304	269	348	212	135	90	81	13	94
China	1593	1284	1188	661	411	253	156	61	217
Croatia	235	141	112	56	24	17	12	4	16
Egypt	277	257	171	79	39	20	17	7	24
India	1030	1253	4069	3334	1788	1646	1082	307	1389
Israel	22	19	175	100	26	39	35	10	45
Japan	209	235	208	65	50	36	36	9	45
Malaysia	1030	886	797	549	462	182	84	25	109
Mexico	49	39	125	30	14	11	7	1	8
Moldova	1043	849	534	208	123	46	8	19	27
New Zealand	658	550	484	224	127	48	17	11	28
Nigeria	84	60	138	151	57	47	27	5	32
Pakistan	830	846	813	362	194	113	57	14	71
Philippines	4042	4301	3885	2210	1426	753	116	191	307
Romania	2527	2113	120	126	196	327	205	5	210
Russian Federation	1091	0	404	172	70	67	39	15	54
South Africa	2468	2031	1461	752	406	122	52	28	80
Sri Lanka	155	144	187	84	55	17	7	5	12
Thailand	549	507	486	235	146	57	15	6	21
Turkey	466	1191	222	108	43	60	50	27	77
Ukraine	2866	2137	1412	487	248	100	47	44	91
United States of America	961	927	1209	867	553	495	441	87	528
Zimbabwe	262	251	216	111	45	19	5	4	9
Total	47551	34067	23604	13567	7962	5200	3184	2016	5200

Source: Department of Jobs, Enterprise and Innovation. Available at [www.enterprise.gov.ie](http://www.enterprise.gov.ie).

Table 8 shows the number of employment permit holders from 2003 to 2012 in respect of the citizens of different countries with substantial numbers of permits.<sup>108</sup> With a few exceptions mainly relating to the advanced industrial societies, the number of employment permits issued to citizens of most countries in the table declined between 2011 and 2012. The largest declines occurred in respect of the Philippines (-446) and India (-257). The majority of permits issued during 2012 (over 60%) were new permits.

<sup>108</sup> The table distinguishes all countries for which the 2007 inflow exceeded 100.

## ***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 9). This number fell sharply in subsequent years with a fall of about 60% (or 7,000) between 2002 and 2005. There were 956 applications for asylum in Ireland in 2012, representing a decrease of 26% on the 2011 figure, and a decrease of 92% from the peak number of applications in 2002. This annual influx for 2012 represents less than 2% of the estimate of total gross inward migration in the twelve months to April 2013.

**Table 9: Asylum Seekers 1992-2012**

Year	Number of Applications
2012	956
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>

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.<sup>109</sup> 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 10 shows that in 2012 Nigeria continued to be the country of stated nationality of the largest number of applicants for asylum (162) and accounting for 17% of all applications. In contrast, during 2008 over a quarter of asylum applicants were of stated Nigerian nationality (at 1,009). From 2008 to 2012, nationals of Nigeria and DR Congo have been present in the top six nationalities of asylum seekers.

**Table 10: Applications for Asylum by Main Country of Nationality 2008 – 2012**

Ranking	2008		2009		2010		2011		2012	
1 <sup>st</sup>	Nigeria	1,009	Nigeria	570	Nigeria	387	Nigeria	182	Nigeria	162
2 <sup>nd</sup>	Pakistan	237	Pakistan	257	China	228	Pakistan	175	Pakistan	105
3 <sup>rd</sup>	Iraq	203	China	194	Pakistan	200	China	142	DR Congo	58
4 <sup>th</sup>	Georgia	181	DR Congo	102	DR Congo	71	DR Congo	70	Zimbabwe	49
5 <sup>th</sup>	China	180	Zimbabwe	91	Afghanistan	69	Afghanistan	67	Albania	46
6 <sup>th</sup>	DR Congo	173	Georgia	88	Ghana	57	Zimbabwe	66	Sth Africa	33
7 <sup>th</sup>	Moldova	141	Moldova	86	Cameroon	56				
8 <sup>th</sup>	Somalia	141	Somalia	84	Moldova	56				
9 <sup>th</sup>	Sudan	126	Ghana	82	Georgia	53				
10 <sup>th</sup>	Zimbabwe	114	Iraq	76	South Africa	53				
All others		1,361		1,059		709		588		503
Total		3,866		2,689		1,939		1,290		956

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

Table 11 shows on overall decline of 38% in the number of appeals received by the Refugee Appeals Tribunal year-on-year during 2011. The largest decrease (51%) relates to those received under the Accelerated procedure.

<sup>109</sup> 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 11: Asylum Appeals Received by Type 2011 and 2012**

Procedure	2011	2012	% Change
Substantive/ Substantive 15 Day	641	451	-30%
Accelerated	386	190	-51%
Dublin Regulation	79	45	-43%
Total	1,106	686	-38%

Source: Refugee Appeals Tribunal (2013). Annual Report 2012. Available at [www.refappeal.ie](http://www.refappeal.ie).

Table 12 shows that during 2012, Nigeria continued to be the main stated country of nationality for applicants for appeal and accounted for 18% of all cases. In 2007 and 2008, over a third of appeals related to Nigerian nationals. From 2007 to 2012, nationals of Nigeria and Pakistan are present in the top five nationality breakdowns.

**Table 12: Total Asylum Appeals Received by Main Country of Origin 2010- 2012**

Ranking	2010	2011	2012
1 <sup>st</sup>	Nigeria 330	Nigeria 224	Nigeria 125
2 <sup>nd</sup>	Pakistan 160	Pakistan 156	Pakistan 87
3 <sup>rd</sup>	Somalia 71	DR Congo 80	DR Congo 42
4 <sup>th</sup>	Afghanistan 70	Zimbabwe 67	Zimbabwe 42
5 <sup>th</sup>	Ghana 62	Afghanistan 54	Algeria 31
6 <sup>th</sup>	Cameroon 56	Cameroon 36	Afghanistan 28
7 <sup>th</sup>	Georgia 51	South Africa 35	Bangladesh 21
8 <sup>th</sup>	DR Congo 50	Ghana 30	Albania 20
9 <sup>th</sup>	Bangladesh 46	Algeria 27	Malawi 20
10 <sup>th</sup>	Sudan 40	Bangladesh 25	South Africa 20
All Others	Other 612	Other 372	Other 250
Total	Total 1,548	Total 1,106	Total 686

Source: Refugee Appeals Tribunal, various Annual Reports. Available at [www.refappeal.ie](http://www.refappeal.ie).

Note: Rounding takes place.

During 2012, some 78% of asylum applications were made at the Office of the Refugee Applications Commissioner (ORAC) and 16% were made at a port of entry (airport).

Some 1,198 cases were finalised by ORAC during 2012, and a total of 219 first instance applications remained outstanding at year end. A total of 144 determinations were

made under the Dublin Regulation.<sup>110</sup> The ORAC received some 24 applications for asylum from unaccompanied minors during 2012.

A total of 746 appeals were completed by the Refugee Appeals Tribunal during the year, including cases relating to the Dublin Regulation. Some 494 cases were finalised under substantive 15 day appeals, 211 under accelerated appeals and 41 related to appeals under the Dublin Regulation under new and older procedures during 2012.<sup>111</sup> All of the recommendations made by the Refugee Applications Commissioner under manifestly unfounded and accelerated decisions were affirmed during 2012, and some 95% of all recommendations relating to decisions under the Dublin Convention/Regulation were upheld (resulting in just 2 positive cases).<sup>112</sup>

Regarding the judicial review of cases, at the end of 2012 some 199 cases related to ORAC were on hand. The Office received 29 new legal challenges during the year.<sup>113</sup> A total of 154 applications for judicial review against decisions of the Refugee Appeals Tribunal were filed during the year.<sup>114</sup>

Table 13 provides estimated refugee recognition rates for the period 2005 to 2012 based on published statistics from the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT). Some 67 positive recommendations were made at first instance during 2012, with 45 appeals granted at second instance. The refugee recognition rate in Ireland during the year was 7.9%, with year-on-year increases in both first and second instance recognition rates. 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.

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<sup>110</sup> Office of the Refugee Applications Commissioner (February 2012). *Monthly Statistical Report December 2011*. Available at [www.orac.ie](http://www.orac.ie).

<sup>111</sup> Refugee Appeals Tribunal (2013). *Annual Report 2012*. Available at [www.refappeal.ie](http://www.refappeal.ie).

<sup>112</sup> *Ibid.*

<sup>113</sup> Office of the Refugee Applications Commissioner (2012). *Annual Report 2011*. Available at [www.orac.ie](http://www.orac.ie).

<sup>114</sup> Refugee Appeals Tribunal (2013). *Annual Report 2012*. Available at [www.refappeal.ie](http://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 13: Refugee Recognition Rate, 2005-2012**

	2005	2006	2007	2008	2009	2010	2011	2012
Total ORAC Recommendations*	4,407	3,646	2,982	3,234	2,708	1,333	1,111	767
Total RAT Decisions	3,916	1,866	1,732	2,321	3,253	2,689	1,239	651
Positive ORAC Recommendations	455	397	374	293	98	24	61	67
“Positive” RAT Decisions**	511	251	203	293	266	129	71	45
Total Decisions/ Recommendations	8,323	5,512	4,712	5,555	5,961	4,022	2,350	1,418
Total Positive Decisions/ Recommendations	966	648	577	586	364	153	132	112
Recognition Rate ORAC	10.3%	10.9%	12.5%	9.1%	3.6%	1.8%	5.5%	8.7%
Recognition Rate RAT	13.1%	13.5%	11.7%	12.6%	8.2%	4.8%	5.7%	6.9%
Overall Recognition Rate	11.6%	11.8%	12.2%	10.5%	6.1%	3.8%	5.6%	7.9%

*Source:* Derived from Office of the Refugee Applications Commissioner statistics available at [www.orac.ie](http://www.orac.ie); Refugee Appeals Tribunal statistics available at [www.refappeal.ie](http://www.refappeal.ie). Data related to EU Dublin Regulation cases are excluded, including cases withdrawn or deemed withdrawn.

\*Recommendations issued by the Office of the Refugee Applications Commissioner, alongside refusals under Section 13(4)(b) and Section 13(5), and Section 13 for 2005 and 2006.

\*\*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 2012 some 511 applications for subsidiary protection in Ireland were received. The majority of 2012 cases related to nationals of Nigeria (66 applications), Pakistan (53 applications), Democratic Republic

of Congo (42 applications), Zimbabwe (34 applications) and Afghanistan (30 applications). A total of 28 grants took place during the year.<sup>115</sup>

During 2012, a total of 564 persons were granted permission to remain during the year following consideration under Section 3 of the *Immigration Act 1999 (as amended)*.<sup>116</sup>

In a Parliamentary Question in March 2012, the Minister for Justice, Equality and Defence noted that as of that date, some 1,680 applications had been submitted to INIS to have their case to remain in Ireland examined in accordance with principles set forth in the *Zambrano* Judgment. Decisions had been made in 925 cases with permission to remain in Ireland granted in 791 cases. It was noted that the majority of cases which remained outstanding concerned missing documentation and/or information.<sup>117</sup> As of that date, some 193 cases subject to judicial review proceedings had a link to the Judgment, and 148 of these had been granted permission to remain in Ireland under the terms of the Judgment.<sup>118</sup>

In 2012, Ireland continued to participate in the UNHCR-led Resettlement Programme for vulnerable refugees. Ireland joined the UNHCR-led resettlement scheme in 1998 and some 1,043 vulnerable persons were resettled as 'programme refugees' between 2000 and 2012.<sup>119</sup> During 2012, 39 persons arrived in Ireland for resettlement purposes, comprising of 5 persons of Iranian Kurdish nationality, 5 persons of Egyptian nationality, 1 person of Eritrean nationality, 3 persons of Ethiopian nationality, 4 persons of Liberian nationality, 1 person of Congolese nationality and 20 persons from the Democratic Republic of Congo.<sup>120</sup>

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<sup>115</sup> Irish Naturalisation and Immigration Service (April 2013).

<sup>116</sup> Department of Justice and Equality (2013). Annual Report 2012. Available at [www.justice.ie](http://www.justice.ie).

<sup>117</sup> Of note, persons already registered in Ireland and attending the Garda National Immigration Bureau (GNIB) for consideration under terms related to the *Zambrano* Judgment, were not recorded.

<sup>118</sup> Parliamentary Question No. 191 (29 March 2012).

<sup>119</sup> Office for the Promotion of Migrant Integration (OPMI). Available at [www.integration.ie](http://www.integration.ie).

<sup>120</sup> Office for the Promotion of Migrant Integration (OPMI) (January 2013).

## *Family Reunification*

Applications for family reunification (family members or a civil partner) in respect for 387 persons with refugee status were received by the Irish Naturalisation and Immigration Service (INIS) during 2012, with approvals issued for 379 persons. Family reunification for 366 persons was refused during 2012 and applications in respect of 56 persons were either withdrawn or deemed abandoned.<sup>121</sup> Overall, the Office of the Refugee Applications Commissioner (ORAC) received some 206 applications for family reunification during 2012, representing 409 dependents. The main countries of nationality of applications were by Somalia (38 applications), Afghanistan (23 applications), Sudan (17 applications), Nigeria (13 applications) and Iraq (11 applications).<sup>122</sup>

In 2012, provisional figures show that some 2,817 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 (18%), Nigeria (11%), Brazil (9%), India (5%) and Bangladesh (4%).<sup>123</sup> Provisional figures of 1,829 grants occurred. A further 1,158 applications for residence permission by spouses of Irish nationals were received during the year, with 701 approvals.<sup>124</sup>

A total of 485 persons were granted Long Term Residency in Ireland during 2012.<sup>125</sup>

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<sup>121</sup> Irish Naturalisation and Immigration Service (April 2013).

<sup>122</sup> Office of the Refugee Applications Commissioner (2013). *Monthly Statistical Report December 2012*. Available at [www.orac.ie](http://www.orac.ie).

<sup>123</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>124</sup> Irish Naturalisation and Immigration Service (April 2013). Refers to cases processed via the Spouse of Irish National Unit within the INIS only and do not include persons who applied to the GNIB for permission to reside in the State based on marriage or civil partnership to an Irish national.

<sup>125</sup> Irish Naturalisation and Immigration Service (April 2013).

### 3.2 Outward Migration

With the recession, emigration has increased, to over 89,000 in the 12 months to April 2013. This outflow is the highest level of emigration for over two decades.

**Table 14: Estimated Emigration Flows by Country of Destination, 1996-2013**

End April	UK	Rest of EU 15	EU 12 <sup>1</sup> NMS	Australia <sup>2</sup>	Canada <sup>2</sup>	USA	Other <sup>3</sup>	Total
Persons				<i>1,000s</i>				
1996	14.1	5.1	--			5.2	6.8	31.2
2001	7.8	5.6	--			3.4	9.5	26.2
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	10.4	1.1	2.4	9.8	49.2
2009	13.2	7.4	25.2	11.1	1.1	4.1	9.9	72.0
2010	15.3	11.9	14.6	10.4	2.4	2.9	11.7	69.2
2011	20.0	13.9	10.4	13.4	2.1	4.7	16.2	80.6
2112 <sup>4</sup>	19.0	14.4	9.6	18.2	3.0	8.6	14.4	87.1
2013 <sup>4</sup>	21.9	11.5	14.2	15.4	5.3	6.2	14.4	89.0
Males								
1996	6.7	2.2	--			2.7	3.6	15.3
2001	3.4	2.0	--			2.0	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	6.5	0.6	1.8	7.1	29.6
2009	8	3.0	16.0	6.7	0.6	2.2	5.4	41.9
2010	8.8	5.4	9.0	6.6	1.7	2.1	6.8	40.6
2011	11.1	7.0	4.9	7.4	1.1	2.6	7.7	41.9
2112 <sup>4</sup>	10.8	7.1	5.0	10.9	1.9	4.7	8.6	48.9
2013 <sup>4</sup>	11.5	4.4	7.5	7.7	2.6	3.3	7.9	44.9
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	3.9	0.5	0.6	2.7	19.6
2009	5.1	4.4	9.2	4.4	0.6	1.8	4.6	30.1
2010	6.4	6.5	5.6	3.8	0.7	0.8	4.9	28.7
2011	8.9	6.8	5.4	6.0	1.0	2.1	8.5	38.8
2112 <sup>4</sup>	8.2	7.3	4.6	7.4	1.1	3.9	5.8	38.2
2013 <sup>4</sup>	10.4	7.1	6.7	7.7	2.8	2.9	6.5	44.0

Notes: <sup>1</sup> Prior to 20004, EU 12 New Member States classified with 'Other'.

<sup>2</sup> Prior to 2008, Australia and Canada included with 'Other'. <sup>3</sup> 'Other' Includes EU 12 NMS prior to 2004 and Australia and Canada prior to 2008. <sup>4</sup> Preliminary.

Source: Central Statistics Office (various years). *Population and Migration Estimates*. Available at [www.cso.ie](http://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 15 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, Australia, the USA, Canada and the Rest of the World outside the EEA, picked up.

**Table 15: Estimated Emigration by Nationality, 2006-2013**

	2006	2007	2008	2009	2010	2011	2012	2013
	<i>1,000s</i>							
Irish	15.3	12.3	13.1	19.2	28.9	42.0	46.5	50.9
UK	2.2	3.7	3.7	3.9	3.0	4.6	3.5	3.9
Rest of EU15	5.1	8.9	6.0	7.4	9.0	10.2	11.2	9.9
EU12 NMS	7.2	12.6	17.2	30.5	19.0	13.9	14.8	14.0
Rest of world	6.2	8.2	9.0	11.0	9.3	9.9	11.1	10.3
Total	36.0	46.3	49.2	72.0	69.2	80.6	87.1	89.0
	<i>%</i>							
Irish	42.5	26.6	26.6	26.7	41.8	52.1	53.4	57.2
UK	6.1	8.0	7.5	5.4	4.3	5.7	4.0	4.4
Rest of EU15	14.2	19.2	12.2	10.3	13.0	12.7	12.9	11.1
EU12 NMS	20.0	27.2	35.0	42.4	27.5	17.2	17.0	15.7
Rest of world	17.2	17.7	18.3	15.3	13.4	12.3	12.7	11.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

*Source:* Central Statistics Office (2013). *Population and Migration Estimates, April 2013*. Available at [www.cso.ie](http://www.cso.ie).

Unfortunately we do not know how much of the non-Irish national emigration reported in Table 14 represents return migration. However, Table 15, showing outward migration by nationality, provides some information on this. In the twelve months to 2013, emigration of Irish nationals increased sharply to over 50,000 individuals, which represented 57% of total emigration. This represents a substantial increase over previous years. Citizens of the EU New Member States (NMS) accounted for about 16% 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 – over three years between 2009 and 2011, 63,400 NMS nationals emigrated from Ireland while 50,200 individuals emigrated from Ireland to the NMS - this suggests that many citizens of the NMS are migrating on to other destinations.

**Table 16: Estimated Emigration Flows classified by Age, 1991-2013**

End April	0-14	15-24	25-44	45-64	65+	Total
Persons	<i>1,000s</i>					
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
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	5.3	34.5	31.3	6.1	3.4	80.6
2012 <sup>1</sup>	4.9	35.8	39.5	5.6	1.2	87.1
2013 <sup>1</sup>	6.8	34.8	41.0	5.7	0.7	89.0
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	2.5	15.9	17.9	3.1	2.4	41.9
2012 <sup>1</sup>	2.3	17.4	24.7	3.8	0.6	48.9
2013 <sup>1</sup>	3.9	15.1	22.5	3.1	0.4	44.9
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	2.7	18.6	13.3	3.1	1.0	38.8
2012 <sup>1</sup>	2.6	18.4	14.8	1.8	0.6	38.2
2013 <sup>1</sup>	2.9	19.6	18.5	2.6	0.4	44.0

Note: <sup>1</sup> Preliminary

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

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.

A major new study of Irish emigrants was published in 2013, based in several surveys conducted in early- to mid-2013.<sup>126</sup> The study shows evidence of a brain drain in which graduates are over-represented among emigrants: 62% of recent emigrants held a tertiary qualification of three years or more, compared to 47% of the Irish population aged 25-34 years. Ireland appears to have experienced significantly higher levels of emigration *per capita* than other Western European countries affected by the Great Recession. Over 17% of Irish emigrants had worked in Ireland in construction-related sectors prior to emigrating. Almost 23% of emigrants were unemployed before departure, and a further 13% were working in part-time jobs. However, almost half (47%) of emigrants in the survey had been employed full-time prior to departure, and almost 40% left because they wanted to travel and experience other cultures. Rural Ireland is disproportionately more likely to experience the impact of emigration than the more urbanized parts of the country. One in four rural households has seen someone leave since 2006.

### ***Return Migration***

During 2011 a total of 302 deportation orders were effected from Ireland under Section 3 of the *Immigration Act 1999*. The main country of nationality of deportation orders effected in 2012 related to Nigeria (85 persons), Pakistan (37 persons), Georgia (27 persons), Somalia (22 persons) and South Africa (19 persons).<sup>127</sup>

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<sup>126</sup> Glynn, I., Kelly, T. and MacÉinrí, P., (2013) *Irish Emigration in an Age of Austerity*.

<sup>127</sup> Irish Naturalisation and Immigration Service (April 2013). 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.

Some 2,204 persons were refused entry to Ireland at ports of entry and returned to the place from which they had come.<sup>128</sup>

Some 33 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*.<sup>129</sup>

A total of 70 transfer orders were effected during 2012 under the EU Dublin Regulation, less than half of the figure for 2011 when 144 transfers took place.<sup>130</sup>

Some 449 persons were assisted to return home voluntarily during 2012, with 359 persons in receipt of voluntary return and reintegration assistance from the International Organization for Migration (IOM) office in Dublin and 90 availing of administrative assistance from the Irish Naturalisation and Immigration Service (INIS). The main country of nationality of persons assisted by both INIS and IOM was Brazil (10 persons and 87 persons respectively), Moldova (2 persons and 63 persons respectively), China including Hong Kong (6 persons and 52 persons respectively), Mauritius (2 persons and 28 persons respectively) and Georgia (2 persons and 19 persons respectively).<sup>131</sup> IOM Ireland provided assistance to some 113 persons under the VARRP programme,<sup>132</sup> with 246 vulnerable irregular migrants meeting specific vulnerability criteria availing of assistance under the IVARRP programme<sup>133</sup> to return home and avail of reintegration assistance.

A series of papers by Barrett and Mosca examine the situation of “returned migrants” – people who have lived outside of their home country for a period of time but who have

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<sup>128</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>129</sup> *Ibid.*

<sup>130</sup> *Ibid.*

<sup>131</sup> Irish Naturalisation and Immigration Service (April 2013).

<sup>132</sup> The Voluntary Assisted Return and Reintegration Programme (VARRP) is eligible for non-EEA nationals pending or failed asylum seekers, who are at any stage of the process prior to a deportation.

<sup>133</sup> The IVARRP is open to vulnerable irregular migrants presenting with a range of specific vulnerabilities.



now returned.<sup>134</sup> To do so they draw on data from the Irish Longitudinal Study on Ageing (TILDA), which contain a representative sample of people aged 50 and over and living in Ireland. The first wave of data on over 8,000 individuals was collected between late 2009 and early 2011, covering topics such as health, wellbeing and economic circumstances. In the sample 24% of men and 21% of women have lived abroad for at least six months. 46% of the male return migrants and 43% of female return migrants had lived abroad for at least ten years. These substantial proportions reflect the migratory history of Ireland. Given the age range of the sample (50 to over 90 years of age), many would have emigrated in the large outflows of the 1950s and the 1980s.

They found that almost 16% of men who lived outside of Ireland for up to ten years had experienced physical or sexual abuse as children. For men who had stayed in Ireland, the corresponding figure was under 10%. A similar pattern was found for female short-term migrants: they were more likely to have experienced physical and/or sexual abuse compared to women who stayed in Ireland (12.6 percent compared to 8.3 percent). However, no differences were found between female stayers and long-term returners. Men who lived outside of Ireland for between six months and ten years were also more likely to indicate that their parents had alcohol or drug problems (13.3 percent), when compared to stayers (7.5 percent).

Male return migrants (both long and short-term migrants) were more likely to have suffered from alcohol problems. This was also the case for female migrants who had lived outside of Ireland for less than ten years. However, for women who had lived outside of Ireland for ten years or more, the incidence of alcohol problems was lower than was the case for women who stayed in Ireland. Their lower levels of alcohol problems is interpreted as suggesting a favourable migration experience relative to Irish women who remained in Ireland. Barrett and Mosca also found evidence of higher levels of isolation (measured in terms of contact with family and friends and social

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<sup>134</sup> Barrett, A., & Mosca, I. (2013), "The psychic costs of migration: evidence from Irish return migrants." *Journal of Population Economics*, 26(2), 483-506. Barrett A., & Mosca, I. (2013). "Early-life Causes and Later-Life Consequences of Migration: Evidence from Older Irish Adults." *Journal of Population Ageing*, 6(1-2), 29-45.

activities) among returned migrants.<sup>135</sup> Between 45% and 60% of male return migrants who had lived away for more than ten years, reported being modestly or mostly isolated, compared to just over 30% of males who had not migrated. For women who stayed, a third were modestly or mostly isolated, while the proportions of return migrants in these categories ranged from 39% to 46%.

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<sup>135</sup> Barrett, A., & Mosca, I.(2013), "Social isolation, loneliness and return migration: Eevidence from older Irish adults." *Journal of Ethnic and Migration Studies*, Vol. 39:10, Pp 1659-1677.

## **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 17 and 18 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 2012, to an estimated 4,593,100 in April 2013 (Table 17). Table 18 shows that natural increase, the number of births in the State minus the number of deaths, has been positive over the period 1926-2011. The most recent inter-censal period (2006-2011) shows the highest natural increase at 45,000 persons per annum, with 73,000 births and 28,000 deaths. Net migration has been more volatile than natural increase over the period 1926-2011. 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 and then increased slightly to almost 56,000 in the twelve months to April 2013. 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 2013, the inflow of 56,000 was offset by an estimated outflow of 89,000, resulting in net outward migration of 33,000.

**Table 17: Population of Ireland (Republic) Since 1841**

<i>Year</i>	<i>Population</i>
	<i>1,000s</i>
1841 <sup>1</sup>	6,529
1851 <sup>1</sup>	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 <sup>2</sup>	4,575
2012 <sup>3</sup>	4,585
2013 <sup>3</sup>	4,593

*Notes:* <sup>1</sup> Armed Forces excluded <sup>2</sup> Census of Population <sup>3</sup> 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 (2013). *Population and Migration Estimates April 2013*. Available at [www.cso.ie](http://www.cso.ie).

**Table 18: Components of Population Change in Intercensal Periods 1871-2011**

<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	33	48
2006-2011	68	45	24

*Source:* Central Statistics Office (various years). Census. Available at [www.cso.ie](http://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. Their numbers declined during the Recession, to 550,400 in 2010, but recovered slightly to 554,500 in 2013. The single largest group of non-nationals is from the EU New Members States. There were 133,000 nationals of the new EU member states in 2006 (accounting for 3% of the total population) and this increased to 248,000 in 2008 (5.5% of the population). That number declined in the Recession to 228,600 in 2013, although the rate of decline in this group has eased off in the last couple of years. The number of immigrants from other European countries has also fallen in recent years. Nationals from the Rest of the World (outside Europe) have increased in number since 2010 – to almost 170,000 (or 3.7% of the population) in 2013. This is consistent with the data on immigration presented in Table 2, and may be partly related to the influx of highly skilled immigrants to meet skill demands in particular sectors, particularly Information Technology and Health.

**Table 18: Total Population 2006 to 2013 Classified by Nationality**

	2006	2008	2010	2012	2013
	<i>1,000s</i>				
Irish	3802.4	3909.5	3994.7	4035.0	4038.6
Total Non-Irish	430.6	575.6	560.0	550.4	554.5
UK	115.5	117.9	115.9	113.0	113.4
Old EU 13	43.8	50.8	52.4	45.5	43.2
EU New Member States	132.5	247.7	233.0	229.4	228.6
Rest of World	138.8	159.2	158.7	162.5	169.3
Total Population	4232.9	4485.1	4554.8	4585.4	4593.1
	<i>%</i>				
Irish	89.8	87.2	87.7	88.0	87.9
Total Non-Irish	10.2	12.8	12.3	12.0	12.1
UK	2.7	2.6	2.5	2.5	2.5
Old EU 13	1.0	1.1	1.2	1.0	0.9
EU New Member States	3.1	5.5	5.1	5.0	5.0
Rest of World	3.3	3.5	3.5	3.5	3.7
Total Population	100.0	100.0	100.0	100.0	100.0

Source: Central Statistics Office (2013). *Population and Migration Estimates, April 2013*. Available at [www.cso.ie](http://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 2011 and 2012**

Stamp	Category	2011	2012	% change
1	Issued to non-EEA nationals who have an employment permit or business permission.	11,759	10,473	-10.9
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.	397	179	-54.9
2	Issued to non-EEA national students who are permitted to work under certain conditions.	41,718	42,775	+2.5
2A	Issued to non-EEA national students who are not permitted to work.	4,791	4,322	-9.8
3	Issued to non-EEA nationals who are not permitted to work.	12,981	11,236	-13.4
4	Issued to people who are permitted to work without needing an employment permit or business permission: Non-EU EEA nationals; Spouses and dependents 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.	73,026	68,451	-6.3
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.	7,964	8,406	+5.5
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.	1,516	1,491	-1.6
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.	35	30	-14.3
Unrecorded		7,038	10,357	+47.2
A		-	-	-
B		-	-	-
Total		161,225	157,782	-2.1

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

Note: 62 persons in STAMP O in 2012 not included.

In 2012, a total of 157,782 Certificates of Registration (referring to new registrations and renewals) were issued, representing a slight decrease of 2.1% on comparable figures for 2011 when 161,225 Certificates were issued. Looking at Certificates issued by category during 2012, the majority were issued under Stamp 4 with 68,451 issued. A

total of 42,775 were issued under Stamp 2; 11,236 under Stamp 3; 10,473 under Stamp 1; 8,406 under Stamp 4 EUFAM; 10,357 were Unrecorded; 4,322 under Stamp 2A; 1,491 under Stamp 5; 179 under Stamp 1A; and 30 under Stamp 6. In 2012, notable decreases in Stamps issued under categories 1A, as well as 6 and 3 took place, with notable increases in Stamps issued under the Unrecorded category as well as EUFAM.

Table 20 shows country of origin data for the 10 largest groups of Certificates of Registration in 2011 and 2012. India, Nigeria, Brazil and China occupied the top 4 positions in both years.

**Table 20: Certificates of Registration by Nationality, 2011 and 2012**

		2011		2012	
	<i>Country of Origin</i>	<i>Number Registered</i>	<i>Country of Origin</i>	<i>Number Registered</i>	
1 <sup>st</sup>	India	17,582	India	16,873	
2 <sup>nd</sup>	Nigeria	14,771	Brazil	16,136	
3 <sup>rd</sup>	Brazil	14,380	Nigeria	14,387	
4 <sup>th</sup>	China	14,116	China	13,077	
5 <sup>th</sup>	Philippines	11,988	America	12,030	
6 <sup>th</sup>	America	11,777	Philippines	10,621	
7 <sup>th</sup>	Pakistan	7,608	Pakistan	7,482	
8 <sup>th</sup>	South Africa	4,767	Malaysia	4,640	
9 <sup>th</sup>	Malaysia	4,569	South Africa	4,332	
10 <sup>th</sup>	Mauritius	3,777	Ukraine	3,231	

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



## Change of Immigration Status

**Table 21: Change of Immigration Status, 2012**

<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>			9	10	26
<i>Education Reasons</i>		980		356	527
<i>Remunerated Activities Reasons</i>		310	218		1,088
<i>Other Reasons</i>		543	203	512	

Source: Eurostat.

Table 21 shows changes in immigration status during 2012. A total of 4,782 persons changed status during the year – a slight decrease on comparable figures for 2011 when 4,979 status changes occurred. A total of 45 persons changed from family reasons to other statuses (the majority – 26 – to ‘Other Reasons’); 1,863 persons changed from education reasons to other statuses (mainly to family reasons at 980 persons); 1,616 persons changes from remunerated reasons (the majority – 1,088 – to ‘Other Reasons’); and 1,258 persons changed from ‘Other Reasons’ to a variety of statuses, mostly for family reasons.

### *Naturalisation*

New procedures have been implemented by the Department of Justice and Equality to facilitate more efficient and faster processing of citizenship applications. This resulted in more than over 25,000 applications decided in 2012, compared to 16,000 in 2011 and fewer than 8,000 in 2010.<sup>136</sup> The main nationalities granted certificates were nationals of Bangladesh, China (including Hong Kong), India, Moldova and Nigeria.<sup>137</sup>

<sup>136</sup> Department of Justice and Equality (2013). *Annual Report 2012*. Available at [www.justice.ie](http://www.justice.ie).

<sup>137</sup> Irish Naturalisation and Immigration Service (April 2013). Figures not available.

## 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.<sup>138</sup>

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. There are now some signs of a weak recovery. Total employment increased by almost 34,000 between Q2 2013 and Q2 2013, the first such annual increase in five years, and unemployment fell by 22,000.

Table 22 shows annual figures for employment, unemployment and net external migration over an extended period from 1983 to 2013. 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.<sup>139</sup> 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

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<sup>138</sup> Duffy, D., Durkan, J., and Casey, E. (2012). *Quarterly Economic Commentary, Autumn 2012*. Available at [www.esri.ie](http://www.esri.ie).

<sup>139</sup> Earlier SOPEMI reports contain more detailed descriptions of these events.

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 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%. 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.

**Table 22: Annual Estimates of Total Numbers at Work, Unemployed and Net Migration, 1983-2013**

<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	1333	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	1508	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	99	2,134	4.6	72
2007	2,136	108	2,243	4.7	105
2008	2,147	131	2,278	5.7	64
2009	1,974	275	2,249	12.2	2
2010	1,894	305	2,199	13.9	-28
2011	1,861	317	2,179	14.6	-27
2012	1,836	323	2,159	15.0	-34
2013	1,870	301	2,171	13.9	-33

*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 Quarter 21, migration data to the year ending April.

*Sources:*

- (a) Central Statistics Office (various releases). *Labour Force Survey*. Available at [www.cso.ie](http://www.cso.ie).
- (b) Central Statistics Office (various releases). *Quarterly National Household Survey*. Available at [www.cso.ie](http://www.cso.ie).
- (c) Central Statistics Office (various years). *Population and Migration Estimates*. Available at [www.cso.ie](http://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](http://www.cso.ie/qnhs/calendar_quarters_qnhs.htm).

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.<sup>140</sup> 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 15% in the second quarter of 2012. In response to this, emigration has increased, immigration declined, and Ireland returned to net emigration in 2009-10 for the first time since the mid-1990s. Notwithstanding the weak recovery in employment, which increased by less than 2% between Q2 2012 and 2013, net emigration continued in 2012-13.

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.<sup>141</sup>

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<sup>140</sup> Barrett, A., Kearney, I. and O'Brien, M. (2008). *Quarterly Economic Commentary, Summer 2008*. Available at [www.esri.ie](http://www.esri.ie).

<sup>141</sup> 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).

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% to almost 16 % 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 %.

After 2007, however, immigrants began to lose ground in the Irish labour market. Total employment fell by over 14% between the end of 2007 and the end of 2012. While employment among Irish nationals fell by 13%, it fell by 21% among non-Irish nationals. Non-Irish nationals accounted for almost 16 % of total employment in 2007; this share had fallen below 15% by the end of 2012. Employment among NMS nationals contracted by over 26% between 2007 and 2012 and among UK nationals by 18%. 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, 2004–2012**

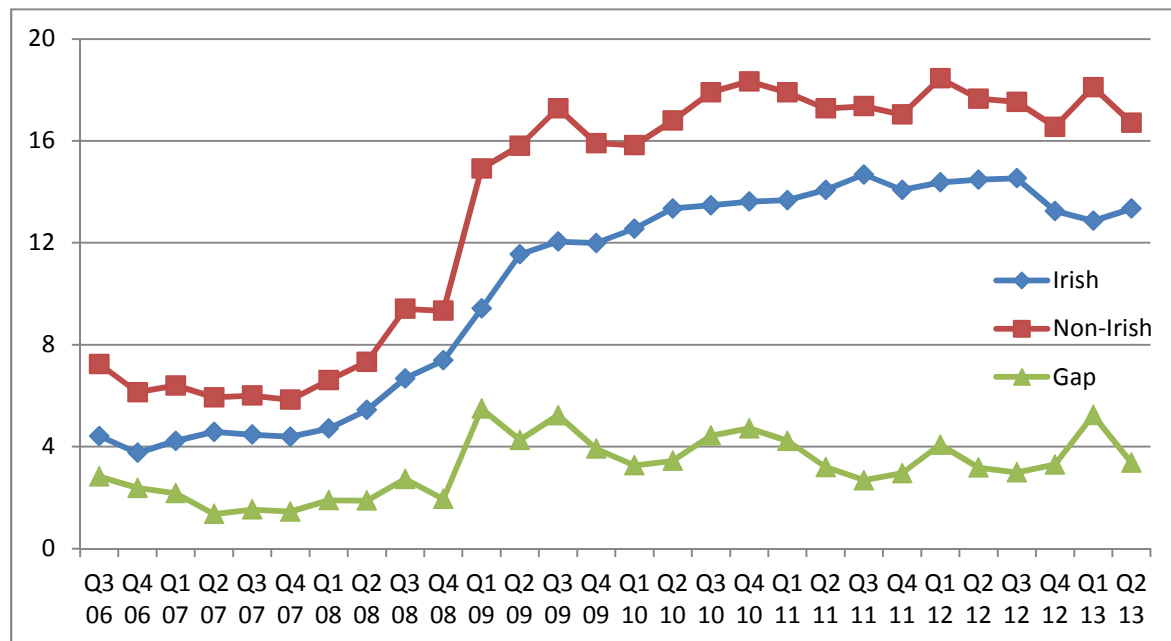
	2004 Q4	2007 Q4	2010 Q4	2012 Q4	2004–2007	2007–2012
	<i>1,000s</i>				<i>% change</i>	
Irish	1,735.1	1,814.5	1,586.0	1,579.90	4.6	-12.9
Non-Irish	164.4	341.5	271.3	269.2	107.7	-21.2
<i>of which:</i>						
UK	43.6	56.8	48.3	46.5	30.3	-18.1
EU-13	27.3	32.4	30.6	29.1	18.7	-10.2
EU NMS	40.9	171.3	124.2	125.9	318.8	-26.5
Other	52.6	81.0	68.2	67.7	54.0	-16.4
Total Persons	1,899.5	2,156.0	1,857.3	1,848.90	13.5	-14.2
	<i>%</i>					
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](http://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 Figure 1). 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). 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 until the middle of 2012, although the gap between Irish and non-Irish nationals declined somewhat. In the final quarter of 2012, the unemployment rate was 16.5% among non-Irish nationals and 13.2% among Irish nationals.

**Figure 1: Unemployment Rates, Irish and Non-Irish Nationality, 2006–2013**



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

**Table 24: Unemployment Numbers and Rates by Nationality, 2007 and 2012**

	2007		2012	
	<i>Q4</i>		<i>Q4</i>	
	<i>1,000s</i>	<i>% Rate</i>	<i>1,000s</i>	<i>% Rate</i>
Irish Nationals	83.4	4.4	241.2	13.2
Non-Irish Nationals	21.2	5.8	53.4	16.5
<i>of which:</i>				
UK	4.6	7.5	11.2	19.4
EU-13	3.2	9.8	3.2*	9.8*
EU NMS	10.3	5.7	25.7	16.9
Other	5.1	5.9	13.6	16.7
Total Persons	104.6	4.6	294.6	13.7

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

Note: \* Q2, 2012, estimated.

In late 2012 UK nationals had the highest unemployment rate at almost 20%, followed closely by nationals of the EU NMS at 17%. The unemployment rate among nationals of the EU-13 was estimated to be below 10%, substantially lower than any other group.

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 rather different interpretation in which 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 the increase in outward migration was offset by continued inward flows, with the result that the total population of non-Irish nationals declined by less than 5% between 2008 and 2012.