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Ireland: From Rapid Immigration to Recession

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Ireland's economic boom during the 1990s brought unprecedented levels of prosperity and helped transform it into a "country of net immigration" by the early 2000s. For the first time in its history, Ireland experienced a significant inflow of migrants — both workers and asylum seekers — from outside the European Union.

Consequently, Ireland had to develop policies in a very short period of time. Three policy areas stand out.

First, to slow a rising number of asylum applications, the government created a list of safe countries of origin and began prioritizing applications accordingly.

Second, over the period 2003 to 2005, Ireland's citizenship laws were fundamentally changed to eliminate an Irish-born child's automatic right to citizenship when the parents are not Irish nationals.

Third, with regard to labor immigration, Ireland moved away from its more liberal work permit system as it sought to meet most of its low-skilled labor needs from within the enlarged European Union.

The key decision: Ireland, along with the United Kingdom and Sweden, agreed to allow citizens from the 10 countries that joined the European Union in May 2004 to work in the country immediately. This contributed to an acceleration in EU immigration flows, a large proportion of which came from Poland. Many nationals from new EU Member States have filled lower-skilled jobs than appropriate for their level of education.

More recently, Ireland instituted stricter policies that favor highly skilled immigrants from outside the European Union.

Now, in the context of an economic recession, Ireland is facing a new set of policy issues with reduced but still high immigration rates and a substantial population of legal foreign residents. These issues include rising unemployment rates among immigrants and Irish nationals, and stress on the social welfare system.

Background

The recent history of Irish migration can be characterized as having had five phases (dates are approximate):

1. Generally net emigration prior to the early 1990s.
2. Increasing immigration from the mid-1990s to early 2000s, driven by returning Irish nationals. There were also dramatic increases in the number of asylum applicants.
3. New peaks in non-EU immigration flows and in numbers of asylum applications from 2001 to 2004.
4. A shift from non-EU immigration flows to EU flows after EU enlargement (2004 to 2007). The high levels of immigration from the new EU Member States brought immigration to unprecedented levels.
5. Reduced but still significant net immigration in 2007-2009, the fall largely resulting from decreased flows from new EU Member States.

Ireland's long history as a country of significant emigration is well known and documented. Between 1871 and 1961, the average annual net emigration from Ireland consistently exceeded

Irish Immigration Policy

Irish immigration policy is unusual within Europe in that it is strongly influenced by the Common Travel

the natural increase in the Irish population, which shrank from about 4.4 million in 1861 to 2.8 million in 1961.

Caused primarily by Ireland's lagging economic development, net emigration was particularly high in the "age of mass migration" (1871 to 1926) and in the post-World War II era (1951 to 1961). Traditional destinations included the United Kingdom, the United States, and Australia.

Area shared with the United Kingdom. Unlike the other 25 EU Member States, Ireland and the United Kingdom are not "Schengen states" and have chosen instead to maintain border controls with the rest of the European Union.

Only Ireland, the United Kingdom, and Denmark may opt out of EU legal instruments on immigration and asylum.

With the exception of the 1970s, when, for the first time in Irish history, net migration to Ireland was positive, outflows continued to exceed inflows until the early 1990s.

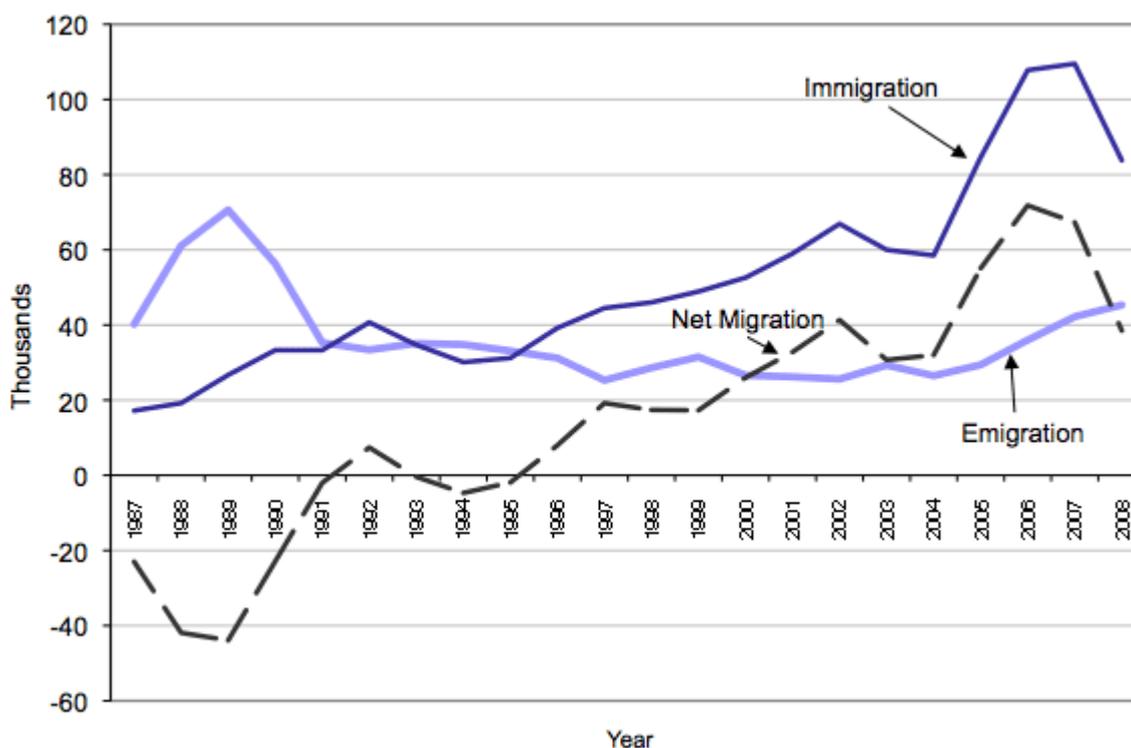
In 1996, Ireland reached its migration "turning point," making it the last EU Member State to become a country of net immigration. The main reason: rapid economic growth created an unprecedented demand for labor across a wide range of sectors, including construction, financial, information technology, and health care. Unemployment declined from 15.9 percent in 1993 to a historic low of 3.6 percent in 2001.

Comparing Ireland to other EU countries underlines its rapid changes. From 1990 to 1994, Ireland was the only Member State with a negative net migration rate (number of migrants per 1,000 inhabitants) according to the EU statistical agency Eurostat. By 2007, Ireland had the third highest migration rate across the 27 EU Member States — 14.5 migrants per 1,000 inhabitants — surpassed only by Spain and Cyprus.

Total emigration flows (including Irish and non-Irish nationals) have remained significant with an annual average of about 27,300 from 2000 to 2005. Since 2006, emigration flows have increased to levels similar to the early 1990s (see Figure 1).

Ireland experienced dramatic increases in immigration flows (which include returning Irish citizens) from the mid-1990s but most markedly after the 2004 EU enlargement. Flows peaked in 2006-2007 at well over 100,000 immigrants per year before dropping off in 2008 (see Figure 1).

Figure 1. Immigration, Emigration and Net Migration in Ireland, 1987 to 2008



Note: Immigrants are defined as individuals who are usual residents of Ireland who did not usually live in the country on April 30 of the previous year.

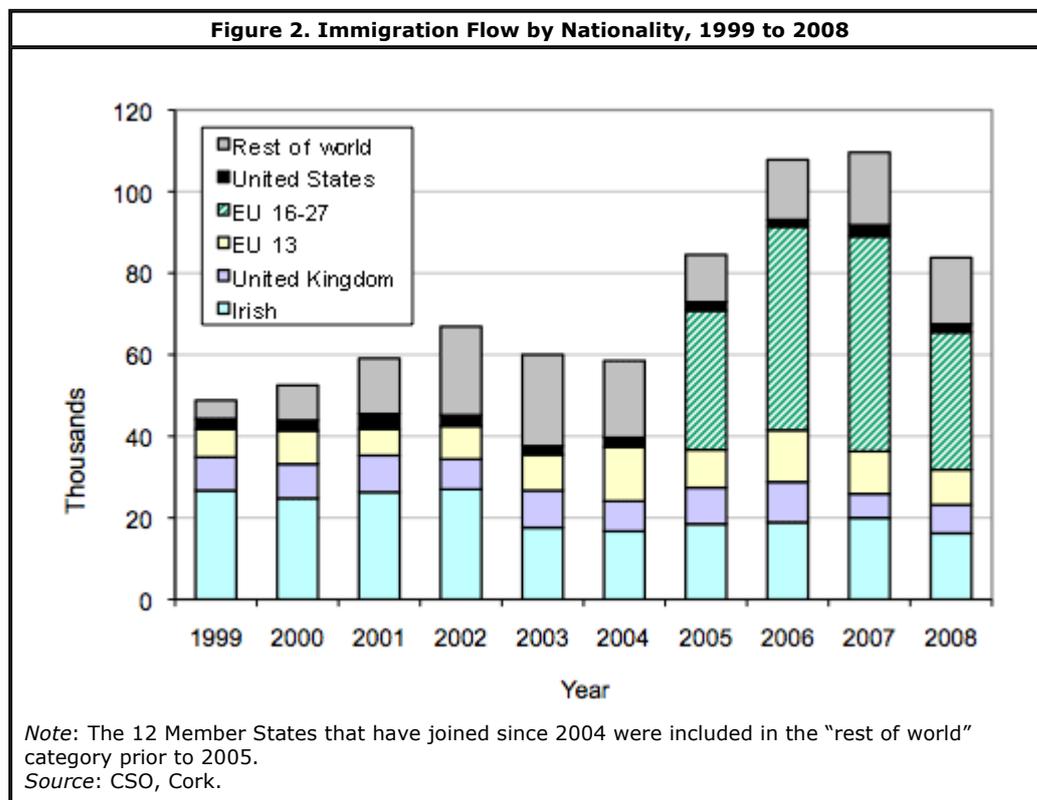
Source: Central Statistics Office (CSO), Dublin.

Although the number of Irish return migrants increased almost continuously between 1987 and 2002 (peaking at 27,000 in 2002), their relative share in total immigration fell from about 65 percent in the late 1980s to 44 percent from 2000 to 2002 (see Figure 2).

Between 2003 and 2005, the share fell again to 27 percent, and between 2006 and 2008, Irish immigrants made up only 18 percent of the inflow. From 2003 to 2008, the absolute number of Irish return migrants remained steady.

As the share of returning Irish migrants fell, non-EU migrants came to dominate the flows between 2001 and 2004. These immigrants constituted more than half of all non-Irish immigrants arriving in Ireland between 2001 and 2004, up from one-third from 1992 to 1995.

Since the accession of 10 new EU Member States in 2004, EU nationals have not only dominated migratory inflows, they have helped push flows to new heights. Between 2005 and 2008, an average of 44 percent of the immigration flow and 54 percent of the non-Irish immigration flow was made up of nationals of the 10 EU states that acceded in 2004, together with Romania and Bulgaria, which acceded in 2007.



Among the various categories of non-EU nationals coming to Ireland in the last decade, the great majority have been workers (about 280,000 work permits were issued during from 1998 to 2008), followed by asylum seekers (74,000 applications made from 1998 to 2008), and students and dependents.

Time-series data are not available for these latter groups, but the foreign student population has grown rapidly in recent years. During 2008, just under 45,000 immigration (registration) stamps were issued to students from outside the European Economic Area (EEA), which includes Norway, Switzerland, Iceland, and Lichtenstein in addition to EU Member States.

This figure represents a 13 percent increase in stamps issued to students in 2007 and a 49 percent increase on the number issued in 2005. (Non-EEA nationals present in the country must register periodically with the Gardai (Irish police). These data do not include multiple registrations in the same 12-month period and so present a stock figure of non-EEA nationals).

Labor force survey data indicate that the vast majority of EU nationals who moved to Ireland in recent years came to work. In the third quarter of 2008, 57 percent of Irish national adults were employed, compared to an average employment rate of 66 percent among non-Irish nationals and 76 percent among nationals of the Member States that joined in 2004 (also known as the EU-10).

EU-10 workers, who do not need work permits, tend to be concentrated in lower-skilled sectors of the economy, such as agriculture, other production industries, construction, and wholesale and retail trade.

Data on the Foreign-Born Population

The increase and change in the composition of migration to Ireland has obviously had a significant impact on the country's population. The share of foreign-born persons living in Ireland rose from 6 percent in 1991 to over 10 percent in 2002 and almost 15 percent in 2006 (including 1.2 percent born in Northern Ireland).

In 2002, the first year when the Census of the Population included a question on nationality, 5.8 percent of the total population usually resident in Ireland had non-Irish nationality (see Table 1). That share increased to 10.1 percent in 2006 (in Dublin, over 15 percent of residents were non-Irish nationals). At the same time, the percentage of those with Irish nationality fell from 92.9 percent in 2002 to 88.8 percent in 2006.

The most significant increase was seen in the EU nationality category, whose share rose from 3.5 percent in 2002 to 6.6 percent in 2006. Most of these EU nationals came from the EU-10: 120,500 people or almost 3 percent of the population counted in the 2006 census.

Table 1. Persons Usually Resident and Present in Ireland by Nationality, 2002 and 2006

	2002		2006	
	Number	Percent	Number	Percent
Irish	3,584,975	92.9	3,706,683	88.8
United Kingdom	103,476	2.7	112,548	2.7
Other EU-15	29,960	0.8	42,693	1
New EU-10	-	-	120,534	2.9
Total European Union*	133,436	3.5	275,775	6.6
Other European	23,105	0.6	24,425	0.6
United States	11,384	0.3	12,475	0.3
Africa	20,981	0.5	35,326	0.8
Asia	21,779	0.6	46,952	1.1
Other nationalities	11,236	0.3	22,422	0.5
Multi/no nationality	3,187	0.1	3,676	0.1
Not stated	48,412	1.3	44,279	1.1
Total non Irish**	224,261	5.8	419,733	10.1
Total	3,858,495	100	4,172,013	100

Notes: *2006 data include EU-10 countries (Estonia, Latvia, Lithuania, the Czech Republic, Cyprus, Hungary, Poland, Malta, Slovakia and Slovenia). **Excludes "no nationality" and "not stated". EU-15 (excluding United Kingdom and Ireland) are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain, and Sweden.

Source: Census 2002 and Census 2006. Central Statistics Office.

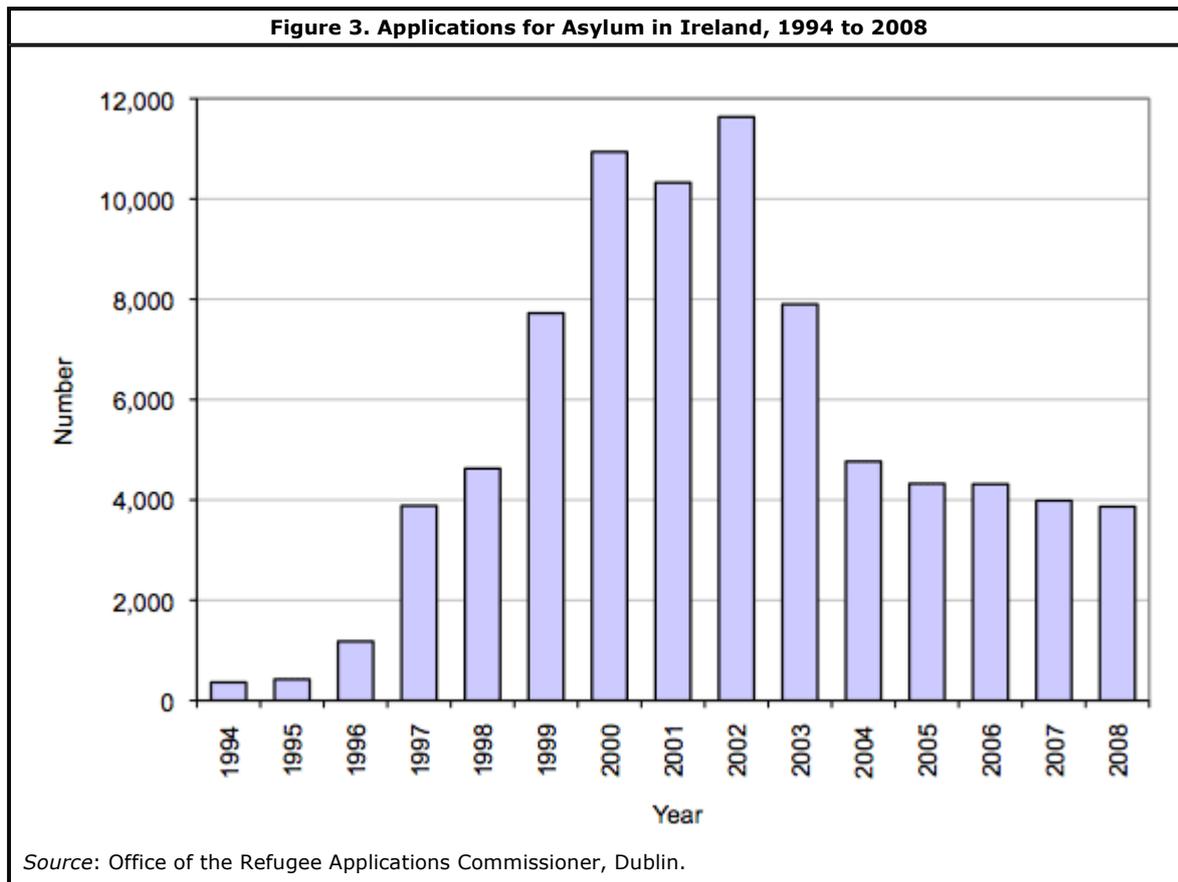
Asylum Flows and Policies

The number of persons seeking asylum in Ireland increased dramatically from only 362 in 1994 to a peak of 11,634 in 2002, before falling off in 2003 and down to approximately 3,900 in 2008 (see Figure 3).

Most asylum seekers have come from Nigeria and Romania although the number of applications from Romanian nationals has fallen off since the country joined the European Union in 2007 as Ireland does not accept asylum applications from nationals of other EU Member States.

In 2008, 26.1 percent of applications came from Nigerian nationals, 6.1 percent from Pakistani nationals, 5.3 percent from Iraqi nationals, and 4.7 percent from both Georgian and Chinese nationals. The remaining 56 percent of applications include a diverse range of nationalities.

Between 1992 and 2008, 9,574 non-EU nationals received refugee status. In 2007, the overall refugee recognition rate of asylum applicants at first and appeal stage was 10 percent.



The increase in asylum applications in the early 2000s necessitated an urgent policy response as the government simply did not have the infrastructure for processing large numbers of applications.

The Refugee Act 1996, which was commenced in 2000, established the Refugee Applications Commissioner (ORAC) as a statutorily independent body that considers asylum applications at first instance. The Refugee Appeals Tribunal was also established under this act and hears appeals of negative asylum decisions.

In 2003, the Irish parliament passed a bill making carriers liable for transporting unauthorized migrants. Also that year, Ireland implemented the "safe country of origin" concept whereby applicants from such countries were presumed to not be in need of refugee protection unless shown otherwise.

In 2005, the government introduced new arrangements for processing prioritized applications from "safe countries of origin" and other countries. The measures applied mainly to nationals of Nigeria, Croatia, and South Africa.

These domestic policies likely contributed to the downward trend in applications since 2003. The decrease was also part of a larger drop in asylum applications lodged in industrialized countries that the United Nations High Commissioner for Refugees reported between 2004 and 2006.

Asylum seekers do not have the right to work in Ireland while the government is reviewing their applications. If, however, their applications are successful and they are officially recognized as refugees, they acquire full employment and social rights and can eventually naturalize.

Citizenship Policy

Ireland used to grant citizenship to anybody born in Ireland (the *jus soli* principle). The non-Irish parents of Irish-born children could then apply for residency in Ireland based on the Irish citizenship of their child. This led to concerns that non-Irish nationals, particularly asylum applicants, were travelling to Ireland and having children in order to gain that status.

Prior to January 2003, about 11,000 families with Irish-born children lawfully applied for residency.

After a referendum in 2004 and a subsequent constitutional amendment, citizenship laws changed so that any person born in Ireland after January 1, 2005, to non-Irish parents is not automatically entitled to Irish citizenship unless one of the parents was lawfully resident in Ireland for at least three out of the four years preceding the child's birth (periods spent in Ireland as an asylum applicant or student are not considered).

In January 2005, the Department of Justice, Equality and Law Reform invited non-Irish national parents of Irish-born children who had had their claims suspended in 2003 to apply to remain under the Irish Born Child 2005 Scheme (IBC/05).

Under this scheme, the non-Irish parents of Irish-born children can be granted permission to remain in the country for two years after which they can apply for a renewal of permission. Applicants successful under the renewal process have had their leave to remain renewed for up to three years; at that point, those qualifying are eligible to apply for full citizenship.

Almost 18,000 applications were submitted under the scheme, and of these, almost 16,700 were approved. During 2007, the government made arrangements to process applications for renewal; 14,117 renewals had been granted by the end of 2008.

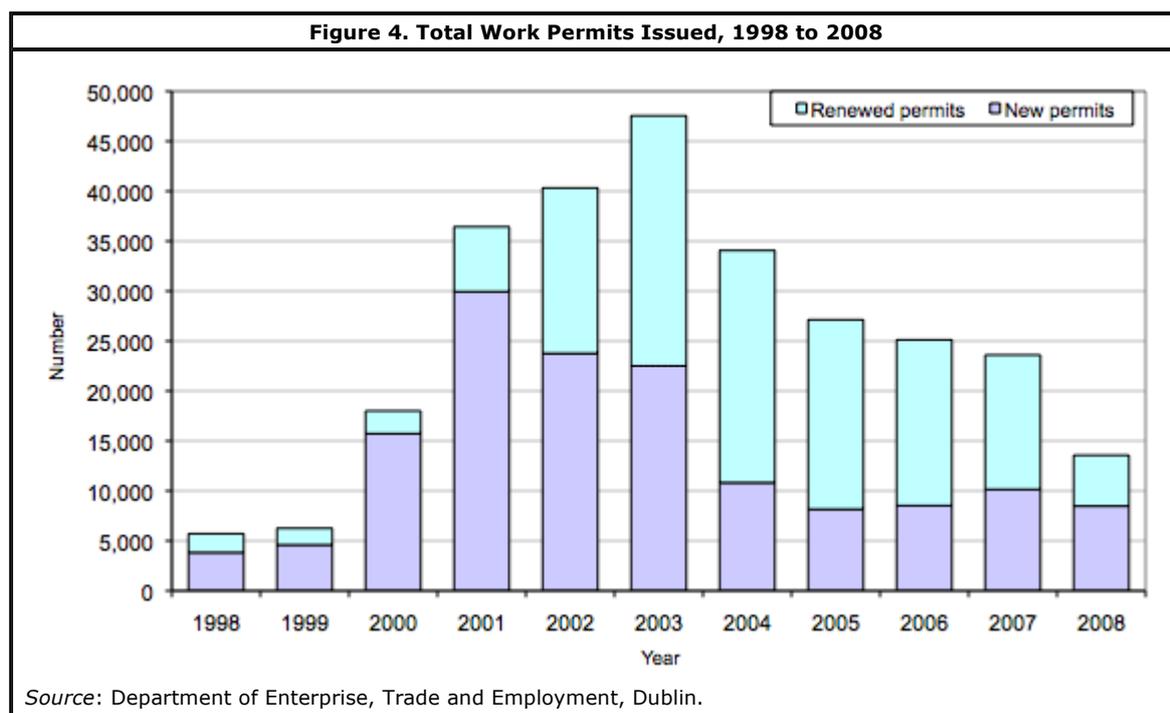
Labor Immigration and Policies Pre-EU Enlargement 2004

As a member of the European Union, Ireland's labor immigration policies have made and continue to make an important distinction between persons from within and outside the European Economic Area.

EEA nationals enjoy the unrestricted right to migrate and take up employment in Ireland. This means their numbers and selection — by skill level and nationality, for example — cannot be directly influenced by Ireland's immigration policies.

Until April 2003, Ireland's employment permit policies were almost entirely employer led. As long as Irish employers were prepared to go through the work permit system's administrative procedure — which mandated proof that "every effort has been made" to recruit an EEA national before making a work permit application — they could legally recruit as many non-EEA workers as they wished, from any country, and to employ them in any job, regardless of the skill level required.

As a result, the total number of work permits issued to non-EEA nationals rose dramatically from 6,262 in 1999 to 47,551 in 2003, an increase of more than 650 percent (see Figure 4). Most of these permits were issued in low-skilled occupations in sectors such as catering, other services, and agriculture.



The Employment Permits Bill 2003 granted workers from the 10 EU accession countries free access

to the Irish labor market upon EU enlargement on May 1, 2004. This bill marked a shift in government policy, namely to source all but the highly skilled and/or scarce labor from EEA countries.

The government felt that its liberal policy toward workers from the EU-10 required a more managed approach to non-EEA migrant workers. Consequently, in 2003, the Department of Enterprise, Trade and Employment and the state training authority (FÁS) published a list of occupational categories that became ineligible for work permits (these included clerical and administrative, general laborers and builders, operator and production staff, sales staff, and child-care workers), and employers were encouraged to give preference to EU-10 workers.

The number of new work permits issued dropped dramatically between 2003 and 2004 in anticipation of EU enlargement and went as low as 8,166 after enlargement in 2005. Since enlargement, the number of work permits issued to Indian nationals has jumped; nationals of the Philippines had the most work permits after Indians in 2007 (see Table 2).

The majority of work permits post-2004 have been for jobs in the services sector, and within this sector, mainly catering and medical/nursing; the number of permits for agriculture has decreased (see Table 3).

Table 2. Work Permits Issued and Renewed by Nationality, 1998 to 2007

Country or region	1998	2001	2003	2004	2005	2006	2007
United States, Canada	1,645	1,470	1,265	1,196	1,363	1,373	1,557
Australia	312	1,098	1,149	908	927	879	808
India	446	757	1,030	1,253	1,724	2,166	4,069
Japan	248	205	209	235	221	214	208
Pakistan	224	821	830	846	822	769	813
Philippines	63	2,472	4,042	4,301	4,172	3,850	3,885
South Africa	178	2,305	2,468	2,031	1,834	1,719	1,461
EU-10 states ¹	240	13,330	16,606	5,290	260	171	82
Other Eastern Europe ²	292	6,662	9,974	7,979	6,861	5,552	3,232
Other countries	2,068	7,326	9,978	10,028	8,952	8,161	7,489
Total	5,716	36,446	47,551	34,067	27,136	24,854	23,604

Notes: 1. The EU-10 comprise Estonia, Latvia, Lithuania, the Czech Republic, Cyprus, Hungary, Poland, Malta, Slovakia and Slovenia. From May 2005, numbers of permit holders from the EU-10 states refer to aliens who are registered in , but not citizens of, those states. 2. Other Eastern Europe comprises Albania, Belarus, Bosnia-Herzegovina, Bulgaria, Croatia, Macedonia, Kosovo, Moldova, Romania, Russian Federation, Ukraine, and Yugoslavia (FYR).

Source: Department of Enterprise, Trade and Employment website. Table from Philip J. O'Connell, "International Migration and Ireland, 2007" (OECD Continuous Reporting System On Migration (SOPEMI), forthcoming).

Table 3. Work Permits Issued and Renewed by Sector, 1998 to 2007

Sector	1998	2000	2001	2002	2003	2004	2005	2006	2007
Agriculture	70	2,980	5,714	6,248	7,242	3,721	2,139	1,952	1,453
Industry	705	1,750	3,119	3,094	3,376	2,174	1,680	1,676	1,775
Services	4,941	13,276	27,613	30,979	36,933	28,172	23,317	21,179	20,401
Medical, Nursing	620	1,360	2,252	2,883	2,709	2,469	2,683	2,852	4,329
Catering	607	3,920	9,129	10,306	11,548	8,306	6,976	5,842	4,801
Education	298	370	480	610	759	717	726	798	901
Domestic	59	200	521	788	944	772	684	631	572
Entertainment/sport	264	771	1,142	1,027	1,172	1,191	1,175	1,261	293
Other services	3,093	6,655	14,089	15,365	19,801	14,716	11,073	9,795	9,505
Total	5,716	18,006	36,446	40,321	47,551	34,067	27,134	24,854	23,604

Source: Department of Enterprise, Trade and Employment website. Table from O'Connell, "International Migration and Ireland, 2007."

Until January 2007, when the law changed (see below), an Irish employer could apply for a work permit or a work visa/authorization for a non-EEA worker.

There were no limits on the number of either type that could be issued each year. Among the differences between the two: work permits were for low-skilled and/or low-wage occupations while work authorizations/visas were for higher-skilled workers in sectors such as information and computing technologies, construction, and a broad range of medical, health, and social-care professions.

Also, work authorizations/visas were fast tracked and the holder had preentry visa clearance and could apply for family reunification immediately rather than after three years, as in the case of a work permit holder.

EU Enlargement 2004 and 2007: Impact on Labor Immigration and Policy

The 2004 EU enlargement of the EU marked the start of unprecedented immigration to Ireland due in part to Ireland's booming economy. In addition, Ireland was one of only three countries (along with the United Kingdom and Sweden) of the 15 Member States that granted accession-state nationals unrestricted access to its labor market immediately upon EU enlargement.

Accession essentially legalized those new Member State nationals already in the country. However, Ireland, like the United Kingdom, chose to restrict access to social welfare benefits, requiring two years of residency for eligibility.

The Irish Department of Social and Family Affairs issues Personal Public Service (PPS) numbers, which are necessary for employment. In the 12 months following enlargement, the department issued about 80,000 PPS numbers to people from the 10 new Member States.

Nationals from the new Member States, most significantly from Poland, dominated the flows, comprising over 40 percent of immigrants, from 2005 to 2007, according to the Central Statistics Office (CSO).

Recent CSO analysis of PPS numbers and revenue data indicates a very high drop-off rate for employment of foreign nationals between 2004 and 2007.

Of the 118,000 foreign nationals age 15 and over assigned PPS numbers in 2004, only 45 percent of these had insurable employment in Ireland at any time during 2007. Of the 58,100 EU-10 nationals who entered the system in 2004, 59 percent had some employment in 2007. It appears that EU-10 nationals tend to stay longer in Ireland than foreign nationals in general.

Analysis of labor force survey data from 2000 to 2005 by researchers Emma Quinn and Philip O'Connell suggests postenlargement policies have indeed resulted in non-EEA nationals more or less maintaining their representation among highly skilled workers, with EU-10 nationals filling skilled and low-skilled positions. In 2003, 3.5 percent of workers employed in semi- and unskilled occupations were EU nationals; by 2005, this proportion had increased to 6.3 percent.

In January 2007, Ireland instituted the Employment Permits Act 2006, a new employment permits system. This system was designed to further reduce the number of work permits issued while increasing Ireland's attractiveness to highly skilled non-EEA workers.

The three main elements to the scheme:

1. A type of green card (permanent residency) for a) any position with an annual salary of 60,000 euros or more in any sector, or b) a position in an occupation where skill shortages have been identified with an annual salary range from 30,000 to 59,999 euros.
2. A work permit scheme for a very restricted list of occupations, with an annual salary up to 30,000 euros, where the shortage is one of labor rather than skills.
3. An intracompany transfer scheme for temporary transnational management transfers.

It is significant that Ireland chose to maintain a work-permit requirement for Romanian and Bulgarian nationals after those countries joined the European Union in January 2007. The minister for Enterprise, Trade and Employment attributed this decision to the need to focus on maintaining stability in the Irish labor market, and avoiding the potential imbalances additional migratory inflows could cause in the context of an economic downturn.

Since the Employment Permits Act 2006 came into effect, the number of new work permits has held steady although renewals dropped in 2008, possibly due to the recession.

In 2008, the overall immigration rate slowed in response to economic contraction. Of the 83,800 people who migrated to Ireland between April 2007 and April 2008, 33,700 were EU-12 nationals (those from the EU-10 plus nationals of Bulgaria and Romania) — about 40 percent of the total. In contrast, the EU-12 made up 46 percent of all immigration flows in 2006 and 48 percent in 2007.

Ireland further tightened the work permit system in June 2009 due to the country's recession. No new work permits will be issued for jobs with a salary of under 30,000 euros. Also, the required period for advertising a job within the European Economic Area has been lengthened, and spouses and dependents of work permit holders are no longer permitted to work unless they obtain their own work permits.

Illegal Immigration and Illegal Working

Given its geography, the level of illegal immigration in Ireland is likely to be fairly low. Unlike the United States, for example, Ireland does not have any land borders with migrant-sending countries.

Illegal entry into Ireland is probably easiest via Northern Ireland, which may be easily accessed from the United Kingdom. Furthermore, because of the Common Travel Area agreement between Ireland and the United Kingdom, there are no passport controls for Irish and UK citizens traveling between the two countries.

Illegal working of non-EEA nationals — which may follow legal or illegal immigration — is likely to be more pervasive. For example, some foreign workers may not leave Ireland after their employment permits expire, or they overstay a tourist visa. Similarly, some non-EEA students may choose to work more than the legally allowed 20 hours per week. There are no estimates for the number of non-EEA nationals living and/or working illegally in Ireland.

Concerns that some English "language schools" were effectively selling visas to non-EEA nationals wishing to work in Ireland (without going through the work permit system) led to attempts to regulate the system in 2004. Since then, only students pursuing courses that last at least one year and lead to a "recognized qualification" as approved by the Department of Education and Science may enter the Irish labor market.

In the June 2006 Social Partnership Agreement *Towards 2016*, which lays out broad societal goals for government and partners including trade unions, businesses, and farming organizations, it was agreed that non-EU students should be subject to a work permit application before they access the Irish labor market. This provision has yet to be formally introduced.

In recent years, Ireland has passed a number of laws aimed at combating illegal immigration. Together, these laws provide a legal basis for deporting nonnationals in violation of Ireland's immigration laws, ban the smuggling of illegal immigrants and the carrying of a passenger who does not have proper immigration documents, and financially penalize or imprison employers and workers who do not comply with the Employment Permits Act 2003.

Trafficking of women, men, and children for prostitution and forced labor, mainly from Eastern Europe, Nigeria, and Asia, remains a problem. In 2008, Ireland stepped up its prevention measures and enacted the Criminal Law (Human Trafficking) Act, its first piece of anti-trafficking legislation. Although no one was prosecuted in 2008, the government investigated 96 alleged offenses, according to the US Department of State's *Trafficking in Persons Report 2009*.

Exploitation of migrant workers is an ongoing concern. Non-EEA migrant workers are particularly vulnerable. The government established the National Employment Rights Authority (NERA) in 2007 as promised in *Towards 2016*. NERA is tasked with maintaining employment rights and labor standards throughout the labor market, with a particular concern for the rights of migrant workers.

The Employment Permits Act 2006 contributed to improving migrants' rights. For example, employment permits, which state certain rights and entitlements of the worker concerned, must be granted to the employee and not the employer. The act also prohibits employers from retaining an employee's passport or other personal documents.

Data from mid-2008 indicate that there have been 47 convictions of employers under the Employment Permits Act 2003 and no convictions under the 2006 Employment Permits Act.

Another measure designed to curb illegal immigration and illegal working has been to increase the number of deportations, which rose from 188 in 2000 to 599 in 2004. Although only 135 people

were deported in 2007, this number represents 32 percent of the orders signed that year, compared to an average of 20 percent in the preceding three years.

To facilitate repatriation, Ireland signed return agreements with Nigeria, Poland, Romania, and Bulgaria (only the one with Nigeria is still relevant), and has also engaged the International Organization for Migration (IOM) to operate voluntary assisted return programs on its behalf. In 2008, 454 people were returned on such IOM programs.

The lack of hard data or any systematic evidence makes it difficult to assess the extent to which Ireland's current immigration and employment laws are actually enforced. However, recent policy measures suggest the government is expanding its efforts to combat illegal immigration.

Current and Emerging Policy Issues

Due to the dramatic increase in asylum applications in the early 2000s, the government prioritized the development of asylum systems, often at the expense of immigration systems, which evolved in an ad hoc manner and were based on administrative codes rather than legislation.

Ireland is currently poised to overhaul its immigration and asylum systems through the Immigration, Residence and Protection Bill 2008. If and when this bill goes into effect, it would do the following:

- Collate many existing and disparate measures. It would repeal, *inter alia*, the Immigration Acts of 1999, 2003 and 2004, the Refugee Act 1996, and Section 5 of the Illegal Immigrants (Trafficking) Act 2000, which deals with judicial review.
- Introduce policy where none existed before. For example, for the first time in domestic legislation, the phrase "foreign nationals" would refer only to those who are from outside the European Union. It would also introduce the first statutory basis for the issuing and revoking of visa applications.
- Significantly reform parts of the existing systems, particularly in the asylum field by introducing a procedure where all protection claims, including claims for both asylum and subsidiary protection, would be examined under a single procedure and at first instance.

The bill also proposes a long-term residence status, the first such system to be statutorily based in Ireland. This status was designed to increase Ireland's attractiveness to highly skilled non-EEA workers.

The government has also begun addressing immigrant integration. The Junior Ministry for Integration was created in 2007. In addition to developing and coordinating integration policy across government departments, the ministry is tasked with promoting the integration of legal immigrants into Irish society, establishing new structures for this purpose, and managing refugee resettlement.

The ministry's efforts to date have included education, including English-language support and instruction (in the 2007-2008 school year, about 10 percent of primary-school students were newcomers); integration in the workplace, with attention to unemployment and racism and discrimination; and support of local integration initiatives.

Certainly, Ireland intends to take a proactive approach to integration. It is worth noting that in May 2008 the integration minister's office published a statement on integration strategy in which it suggested that it could essentially learn from and avoid the integration mistakes of other European countries.

Some have called Ireland a leader in integration for allowing non-Irish nationals to vote in local elections and for its strong antidiscrimination laws. Ireland also received international attention following the June 2007 election of Nigerian immigrant Rotimi Adebare as mayor of Portlaoise, a small city outside Dublin.

In order for Ireland to benefit fully from the enlarged pool of workers with free access to the Irish labor market, it is important that migrants' skills match their labor market attainment.

Economists Alan Barrett, David Duffy, and Adele Bergin have shown that Ireland's immigrants are generally a highly educated group (meaning they have a postsecondary degree) but that not all immigrants are employed in occupations that fully reflect these high education levels. Immigrants have also been shown to earn less than their Irish counterparts. EU-10 migrants tend to have the lowest occupational attainment.

One possible explanation for inequity in labor market experience is discrimination. Research by O'Connell and sociologist Frances McGinnity has shown that non-Irish nationals are three times

more likely to report experiencing discrimination while looking for work than Irish nationals. Furthermore, a recent field experiment study by McGinnity et al. has shown that employers are twice as likely to invite a candidate with an Irish name to interview as an equivalent candidate with a distinctively non-Irish name.

International experience suggests that such problems may worsen as competition for jobs increases. It remains to be seen how migration trends will change in light of the severe economic downturn now underway.

Between the first quarter of 2008 and the first quarter of 2009, the number of people unemployed in Ireland increased 104 percent according to the Quarterly National Household Survey. The overall unemployment rate stood at 10.2 percent as of the first quarter of 2009 and is expected to continue to rise steeply by the end of 2009.

So far, the recession has hit non-Irish nationals harder: their unemployment was 14.7 percent in the first quarter of 2009 compared to 9.4 percent for Irish nationals. The same quarterly report showed that non-Irish nationals made up 15.6 percent of the labor force (those between ages 17 and 65). The sectors experiencing the most significant job losses, including construction, wholesale, and retail trade and industry, are those where migrants tend to work.

The number of unemployed continues to grow, representing an increasing burden on the state. Even given the habitual residency condition on social welfare, the number of non-Irish unemployed workers entitled to support is substantial.

According to CSO, which tracks claims for unemployment and other employment-related government assistance, non-Irish nationals made up 18.5 percent of all persons (80,786 of 435,735) on the Live Register in July 2009. Of those non-Irish nationals, over half were from EU-12 countries.

The difficult economic conditions could result in migrants returning to their countries of origin in large numbers, as EU-10 nationals have the ability to legally return and take up work once conditions improve. Sufficient data to test this hypothesis are not yet available.

If international economic conditions improve, large-scale Irish emigration could resume. There are some indications this may happen: emigration rates overall rose 25 percent between 2006 and 2008. However, net migration remains strongly positive.

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