



EUROPEAN MIGRATION NETWORK

ANNUAL REPORT ON ASYLUM AND MIGRATION STATISTICS FOR IRELAND: 2007

CORONA JOYCE

2009

Research Study Prepared for the European Migration Network

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The opinions presented in this report are those of the Irish National Contact Point of the European Migration Network and do not represent the position of the Irish Department of Justice, Equality and Law Reform or the European Commission Directorate-General Freedom, Security and Justice

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ABBREVIATIONS AND IRISH TERMS

Dáil	Parliament, lower House
EEA	European Economic Area
EMN	European Migration Network
EU	European Union
EURODAC	European Dactyloscopie (electronic fingerprint system)
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
Gardaí/Garda Síochána	Police
GNIB	Garda National Immigration Bureau
HSE	Health Service Executive
INIS	Irish Naturalisation and Immigration Service
IOM	International Organization for Migration
NGO	Non-Governmental Organisation
ORAC	Office of the Refugee Applications Commissioner
RIA	Reception and Integration Agency
VARRP	Voluntary Assisted Return and Reintegration Programme

1. INTRODUCTION

This report provides an analysis of statistics relating to migration and asylum in Ireland and is the fifth in the current series.¹ The legally-resident population in Ireland has grown steadily during the period in question to reach just over 4.3 million in January 2007.² This growth has been driven both by net immigration and natural increase. Immigration flows reached a high of 103,260 during 2007. Previously, there had been a decline in immigration in 2004 to 58,875. This decline may have reflected tightening immigration policy and a decline in asylum applications, while the subsequent increase from 2005 onwards may possibly represent increased flows since the enlargement of the European Union (EU) in 2004. The net migration rate fell slightly during 2007. The main migration- and asylum-related event of interest in 2007 centred on the publication of the Immigration, Residence and Protection Bill in April 2007. For the first time a definition of a ‘foreign national’ was proposed as being with reference to third-country nationals from outside the European Union only. A category of statutory long-term resident status was also proposed.

The Employment Permits Act 2006 came into operation on 1 January 2007. Reflecting the general policy of meeting most domestic labour needs from within the enlarged EU, the Act contained a reformed system with three elements, including a type of ‘Green Card’ for any position with an annual salary of €60,000 or more in any sector, or for a restricted list of occupations where skill shortages have been identified and with an annual salary range from €30,000 to €59,999; a re-established Intra-Company transfer scheme for temporary trans-national management transfers; and a Work Permit scheme for a very restricted list of occupations up to €30,000 and where the shortage is one of labour rather than skills.

During 2007, Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research was enacted and was transposed in Ireland on the 12 October 2007 by the administrative Scheme for Accreditation of Research Organizations under powers provided by existing legislation.

¹ All previous reports in this series for Ireland can be found on the ESRI website www.esri.ie

² Special calculation by the Central Statistics Office (CSO).

The European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006) came into force on 10 October 2006, and were intended to give effect to the 'Qualification Directive' (Council Directive 2004/83/EC) which seeks to ensure that Member States apply common criteria for the identification of persons in need of international protection.³

In October 2007 the Criminal Law (Human Trafficking) Bill 2007 was published and sought to give effect to measures targeting illegal immigration. Ireland signed the Council of Europe Convention on Action against Trafficking in Human Beings in April 2007.

During 2007, new position of Minister of State with special responsibility for Integration Policy was created after the general election.

In January 2007, a new category of Spousal/Dependant Work Permits was announced, which superseded previous schemes. Coming into effect on 1 February 2007, the Spousal and Dependent Scheme was designed to facilitate ease access to employment for spouses and dependent unmarried children under the age of 18 who have been admitted into Ireland as family members of employment permit holders. In April 2007, the Third Level Graduate Scheme was implemented, establishing provisions whereby non-EEA students who have graduated on or after 1 January 2007 with a degree from an Irish third-level educational institution would be permitted to remain in Ireland for six months. In early 2008, a further administrative scheme was announced with regard to the renewal of leave to remain for the non-national parents of Irish-born children granted permission to remain under the Irish Born Child (IBC/05) Scheme. Successful applicants under the renewal process have had their leave to remain renewed for up to three years, at which stage those qualifying will be eligible to apply for full citizenship.

As from January 2007, asylum applications from nationals of Romania and Bulgaria were deemed inadmissible for processing in the State due to citizens of both countries (and their family members) enjoying free movement rights as set out in the European Communities (Free Movement of Persons) (No. 2) Regulations 2006. The EU Treaty Protocol on asylum for nationals of Member States of the European Union, which provides that applications for refugee status from EU nationals shall be inadmissible for processing by another EU Member State except in very exceptional circumstances, was subsequently applied.

Figures for first time asylum applications continued to fall during 2007, and were at the lowest figure since 1997. Nigerian nationals constituted almost a quarter (25.7 per cent) of all first asylum applications during the year. The overall number of asylum decisions decreased during 2007 by 8 per cent, as did specific positive decisions (by 10.3 per cent). The proportion of positive decisions to total decisions remained almost the same, from 10.4 per cent in 2006 to 10.2 per cent in 2007.

Some 155,253 Certificates of Registration, referring to new registrations and renewals, were issued during 2007, representing an increase of 7.7 per cent on corresponding figures for 2006. With the exception of the Stamp B

³ See Quinn *et al.* (2008) for further discussion on this topic.

and 'Unrecorded' categories, all other Stamp categories showed an increase in those issued. Applications for naturalisation increased by 13 per cent during 2007, with some 8,003 applications received. During the same year, 1,501 naturalisation certificates and 3,148 post nuptial citizenship certificates were issued. Over 150,000 visa applications were processed worldwide in 2007, including 66,000 re-entry visas.

There was a year-on-year decrease (11.3 per cent) in employment permits issued during 2007, when 23,591 such permits were issued. Of note is that the Department of Enterprise, Trade and Employment announced the cessation of the Working Visa/Authorisation scheme with effect from 31 December 2006.

During 2007, some 6,272 non-Irish Nationals were refused entry to Ireland. This represents a 6.5 per cent increase on related figures for 2006 and continues the trend of increased refusals since 2005. The main country of citizenship of third-country nationals refused entry to the State is Brazilian, representing almost 30 per cent of all refusals (28.8 per cent).

There was a notable decrease of 52.9 per cent in the number of deportation orders effected during 2007 in comparison to 2006. Regarding Transfer Orders under the EU Dublin II Regulation, there was also a decrease in the number of Orders effected (23.4 per cent).

The number of voluntary returns taking place increased sharply by 75.8 per cent from 238 to 417 between 2006 and 2007.

In 2007, for the first time, European citizens were removed in accordance with Regulation 20(1)(a) of the European Communities (Free Movement of Persons), (No 2), Regulation 2006. Removal Orders were made against nine persons, and four persons were removed to various EU States during the year.

1.1 Methodology

The majority of the data supplied in this National Report have been supplied by Eurostat and where other sources have been used this is indicated below the relevant table. Where available, all data tables have been verified by relevant national data providers to Eurostat, specifically by the Central Statistics Office (CSO) and the Department of Justice, Equality and Law Reform.

Other sources used for this National Report include published sources, including Annual Reports.

Data is not available on all of the requested items, including residence permits and numbers of apprehensions of illegal aliens. It is not yet possible to obtain data fully consistent with the Migration Statistics Regulation.

2. ASYLUM

The most significant policy-related development with regard to asylum in Ireland during 2007 concerned the publication of an Immigration, Residence and Protection Bill in April. The 2007 Bill sought to set forth a legislative framework for a managed and integrated immigration policy and it defined, for the first time in Irish legislation, a foreign national as being a third-country, non-EU national.

Figures for first time asylum applications continued to fall during 2007, and were at the lowest figure since 1997. Nigerian nationals constituted almost a quarter (25.7 per cent) of all first asylum applications during the year. The majority of new applications were received from male applicants, representing 62.4 per cent of all applications, and applications from those in the 18-35 age group (2,232 applications) constituted the largest age group. The overall number of asylum decisions decreased during 2007 by 8 per cent, as did specific positive decisions (by 10.3 per cent). The proportion of positive decisions to total decisions remained almost the same, from 10.4 per cent in 2006 to 10.2 per cent in 2007.

2.1.1 FIRST-TIME ASYLUM APPLICATIONS

2.1 Analysis and Interpretation of Asylum Statistics

The number of first-time asylum applications decreased slightly by 7.2 per cent in 2007 from 2006, and remained much lower than preceding years.

Table 1 shows that over the period 1997 to 2002 the number of people seeking asylum in Ireland at first instance under the 1951 Geneva Convention increased significantly to a high of 11,598. Since 2003, asylum applications have decreased each year, with the number of first-instance applications for asylum falling by two-thirds (66 per cent) between 2002 and 2007. The 3,933 first-time asylum applications in 2007 were at the lowest level since 1997.

Table 1: First-time Asylum Applications, 1997-2007

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Number of first applications	3,355	4,369	7,673	10,911	10,316	11,598	7,483	4,265	4,304	4,241	3,933

Source: Department of Justice, Equality and Law Reform.

Table 2: First-time Asylum Applications by Citizenship, 2004-2007

	2004	2005	2006	2007
Nigeria	1,445	Nigeria 1,272	Nigeria 1,022	Nigeria 1,014
Romania	246	Romania 382	Sudan 304	Iraq 279
Somalia	196	Somalia 367	Romania 288	China 258
China (including Hong Kong)	152	Sudan 203	Iraq 213	Pakistan 185
Sudan	146	Iran (Islamic Republic of) 202	Iran 203	Georgia 173
Congo, the Democratic Republic of the	130	Georgia 150	Georgia 170	Sudan 155
Croatia	128	Afghanistan 142		
Georgia	120	Congo, the Democratic Republic of the 138		
Afghanistan	106	Moldova, Republic of 100		
Moldova, Republic of	90	China (including Hong Kong) 96		

Source: Department of Justice, Equality and Law Reform.

Table 2 shows the main citizenship groupings of first-time applicants for asylum between 2004 and 2007. In 2007, Nigerian nationals constituted the largest single grouping and comprised almost a quarter (25.7 per cent) of all first asylum applications during the year. The next largest nationality was Iraq, representing 7.1 per cent of all first time applications.

Between 2004 and 2007, Nigeria was the only country of nationality to appear in the first five main groupings of first-time asylum seekers by nationality each year.

While trends in first asylum applications per stated citizenship may be difficult to interpret, it is worth noting the continuation of administrative asylum application procedures with regard to prioritised cases and accelerated processing arrangements since introduction of these procedures in January 2005 (see Quinn, 2006 for further discussion). These arrangements apply to nationals of Nigeria, Croatia and South Africa. Overall, 27 per cent of all applications received during 2007 were from nationals of countries covered by the prioritised caseload provisions, in comparison to 38 per cent since January, 2005. Nigerian nationals account for 1,028 of the 1,072 prioritised cases (96 per cent) in 2007.

Table 3: New Asylum Applications by Age Group and Sex, 2007

Age Group	Male	Female	Total
Total	2,456	1,477	3,933

Source: Department of Justice, Equality and Law Reform.

Overall, the vast majority of new applications were received from male applicants, representing 62.4 per cent of all applications (Table 4).

Table 4: Asylum Applications by Unaccompanied Minors, 2007

Age groups	Male	Female	Total
Total	38	49	87
0-13			
14			
15			
16			
17			
Age unknown	:	:	

Source: Department of Justice, Equality and Law Reform.

There was a decrease in applications from unaccompanied minors between 2006 and 2007, from 131 to 87 respectively (a decrease of 33.5 per cent year-on-year). As discussed in Joyce and Quinn (2009) this yearly fluctuation may reflect either changed migratory flows or may be a reflection of a change in administrative procedures concerning the automatic placement of unaccompanied minors within the asylum system as a means of regularising status.

2.1.2 FIRST AND FINAL POSITIVE DECISIONS IN 2007

As Table 5 shows, the overall number of asylum decisions decreased during 2007 (by 8.0 per cent, from 6,187 to 5,692), as did specific positive decisions (by 10.3 per cent, from 648 to 581). The proportion of positive decisions to total decisions remained almost the same: 10.4 per cent in 2006 and 10.2 per cent in 2007. Unfortunately, there are no data available for breakdown by citizenship of those accorded negative decisions. As discussed in previous reports in this series, we can speculate that the continuing rate of positive determinations during the asylum process year-on-year in 2007 is partly a result of changed migration flows.

Table 5: Total Number of Asylum Decisions, 2004-2007

	2004	2005	2006	2007
Total	13,177	9,263	6,187	5,692
Positive decisions	1,138	966	648	581
Negative decisions	10,300	7,356	4,863	4,153
Other non-status decisions	1,739	941	676	958

Source: Department of Justice, Equality and Law Reform.

Note: "Other non status decisions" refers to cases withdrawn/deemed withdrawn.

Decisions at first appeal, Dublin Regulation, Manifestly Unfounded and Dublin Convention recommendations of the Office of the Refugee Applications Commissioner (ORAC) set aside by the Refugee Appeals Tribunal are remitted to ORAC for further consideration; and as such are not included in the above tables

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Of interest, the number of non-Geneva Convention status decisions in Ireland increased dramatically year-on-year in 2007 by 41.7 per cent.

Table 6: Total Number of Positive Decisions (First Instance) by Type and Country of Citizenship, 2007

	Total	Geneva Conv. Stat. Granted	Humanitarian Status and all other types of subs. protect.
	1,238	376	862*
Iraq		100	
Sudan		61	
Somalia		28	
Eritrea		20	
Kuwait		19	
Others		148	

Source: Department of Justice, Equality and Law Reform.

* Number of persons granted Leave to Remain pursuant to Section 3(3)(a) of Immigration Act 1999.

Overall, some 862 persons were granted 'Leave to Remain' and Subsidiary Protection status during 2007 (Table 6). Of these, some 860 persons were granted Leave to Remain status under Section 3 of the Immigration Act 1999 (as amended) during 2007, an increase of almost 300 per cent (298.1 per cent) on corresponding figures for 2006.

As discussed above, the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006) came into force on 10 October 2006 and were intended to give effect to the 'Qualification Directive' (Council Directive 2004/83/EC) which seeks to ensure that Member States apply common criteria for the identification of persons in need of international protection. Section 2(1) of these Regulations provides the criteria for eligibility for subsidiary protection. Some 1,255 applications for Subsidiary Protection were submitted during 2007, with 83 decisions made. Of these, 2 applications for subsidiary protection were granted.

During 2007 some 114 Refugees were resettled in Ireland under the United Nation's Refugee Resettlement Programme, including a group of 97 Refugees from Myanmar/Burma.

2.1.3 CHANGES IN THE STATUSES REGULARLY GRANTED TO PARTICULAR CITIZENSHIP GROUPS

Regarding Geneva Convention status recognitions during 2007, it is interesting to note that four out of the five nationalities listed are present in

both 2006 and 2007. There were sharp decreases in the number of Convention statuses granted to nationals of Somalia (53.3 per cent) and Sudan (44 per cent). Kuwaiti nationals recognized as refugees under the Geneva Convention rose by 46.1 per cent during 2007 year-on-year from 2006, as did Iraq nationals (an increase of 53.8 per cent)

Figures regarding a change in non-status granted to particular citizenship groups were not available for 2007.

2.2 Contextual Interpretations

2.2.1 NEW OR AMENDED LAWS EFFECTIVE IN 2007

Following on from the proposed Scheme of draft legislation published in 2006, the Immigration, Residence and Protection Bill was published in April 2007. Comments on the Bill centred on a lack of clarity around specific legislative provisions, with a high level of Ministerial discretion still provided for in the legislation. The 2007 Bill sought to set forth a legislative framework for a managed and integrated immigration policy and it defined, for the first time in Irish legislation, a foreign national as being a third country non-EU national. The scope of the Bill was very broad and covered a number of principles governing the presence of foreign nationals in the State as well as statutory processes concerning visa applications; entry to the State; residence within the State; protection applications within the State; and obligations to leave the State. A new statutory status of 'long-term resident' was proposed, as was a single application procedure for protection claims allowing for Geneva Convention asylum claims and subsidiary protection claims to be examined together. Important changes to the bodies in the asylum process were also proposed. Arguably one of the most controversial aspects of the Bill, which prompted much NGO and media debate, involved provisions surrounding a potential for detention and removal from the State, including provisions which could lead to a foreign national being detained if they do not comply with a condition imposed by an immigration officer or member of the Garda Síochána. These provisions were also applicable to minors under 18 years of age. The published Bill also set forth a basis for summary deportation while legal proceedings are ongoing. A further controversial provision stated that the marriage of a third-country foreign national and an Irish citizen does not, of itself, confer a right on the foreign national to enter or be present in the State.

In October 2007, the Government announced a series of measures targeting trafficking into Ireland, including the publication of the Criminal Law (Human Trafficking) Bill, 2007. The Bill created offences criminalizing trafficking in persons for the purposes of sexual or labour exploitation (recruiting, transporting, transferring to another person, harbouring or causing the entry into, travel within, or departure from the State), or for the removal of their organs. Service provision to suspected victims of trafficking was not included in the scope of the Bill; it has been announced that this is being dealt with separately on an administrative basis. The published Bill would have the effect of implementing two EU Framework Decisions – the Framework Decision on Combating Trafficking in Human Beings (for the purpose of labour and sexual exploitation) and the Framework Decision on Combating the Sexual Exploitation of Children and Child Pornography.

2.2.2 PROCEDURAL CHANGES EFFECTIVE IN 2007

Following their accession to the European Union in January 2007, asylum applications from nationals of Romania and Bulgaria were deemed inadmissible for processing in the State due to citizens of both countries (and their family members) enjoying free movement rights as set out in the European Communities (Free Movement of Persons) (No. 2) Regulations, 2006. Ireland had experienced a number of Romanian nationals (220) seeking to submit applications for asylum to the Office of the Refugee Applications Commissioner (ORAC) in January 2007. Following consultations with the Attorney General, the Tánaiste subsequently applied the EU Treaty Protocol on asylum for nationals of Member States of the European Union, which provides that applications for refugee status from EU nationals shall be inadmissible for processing by another EU Member State except in very exceptional circumstances.

As discussed in the previous report in this series, during 2006 the Supreme Court ruled that the Refugee Appeals Tribunal (RAT) must make its decisions available to applicants for asylum who are bringing an appeal. In 2007, the Supreme Court subsequently made a ruling that statistics regarding asylum appeal decisions of a member of the Refugee Appeals Tribunal (RAT) could be examined in a High Court case. Case proceedings had begun in December 2006 and concerned judicial review proceedings against a named Tribunal member, alleging a lack of fair hearing and the chance of a positive outcome of an appeal heard by the member. As part of the case, access to statistics related to the member's decisions (and others) were sought. On foot of the June 2007 Supreme Court judgment these statistics are to be produced, with the claim of bias to be further examined by the High Court.

Later in the year in December 2007 the RAT settled a related case involving three asylum seekers who did not wish to have their cases heard by the same Tribunal member.

During 2007 work continued on a number of major IT projects within the Irish Naturalisation and Immigration Service (INIS) aimed, in particular, at better customer service provision and protection of national security and border protection. These included AISIP (Asylum Immigration Strategic Integration Platform), a new case management system for INIS which is expected to be fully in place by early 2009, and the continuation of the AFIS as discussed in the Annual Policy Report on Asylum and Migration Statistics for Ireland (2006). This system provides for the development of a new integrated electronic system for the capture of fingerprints of asylum seekers and non-EEA nationals. This marked the replacement of the previous manual system and of the installation of electronic fingerprint capture equipment called "livescan" units at the Office of the Refugee Applications Commissioner. A new visa IT system AVATS (Automated Visa Application and Tracking System) was piloted in late 2007. This provides a comprehensive visa tracking mechanism and includes an on-line visa application facility.

2.2.3 EUROPEAN/INTERNATIONAL FACTORS EXPLAINING CERTAIN CHANGES REGARDING ASYLUM TRENDS IN 2007

The continued decline of first-time asylum applications in Ireland during 2007 (the lowest level since 1997) is in contrast to the 10 per cent increase of individuals requesting refugee or asylum status in Europe and the non-European industrialized countries analysed by UNHCR. This wider increase in applications for asylum and/or refugee status marks the first increase in five years, but is only half of the level witnessed in 2001.

In 2007 the 27 Member States of the EU received 11 per cent more requests compared to 2006 (representing 222,900 recorded applications), while Europe as a whole registered a 13 per cent increase.

3. MIGRATION

The legally-resident population in Ireland has grown steadily during the period in question to reach just over 4.3 million in January 2007.⁴ This growth has been driven both by net immigration and natural increase. Immigration flows reached a high of 103,260 during 2007. Previously, there had been a decline in immigration in 2004 to 58,875. This decline may have reflected tightening immigration policy and a decline in asylum applications, while the subsequent increase from 2005 onwards may possibly represent increased flows post-2004 Accession. Conversely, recorded emigration fell during 2001 and 2002. The net migration rate fell slightly during 2007.

Regarding the inclusion of asylum applicants among flow and stock data if they stay effectively one year or more in the Member State (or if they intend to stay one year or more) in accordance with Article 3 of the Migratory Statistics Regulation (862/2007), while at an overall level the Irish estimates cover persons resident in private and non-private households (i.e. institutions), the breakdowns provided are based solely on the Quarterly National Household Service (QNHS). The QNHS covers private households only. In the Irish context, as some asylum seekers are accommodated in institutions such as hostels, the classification of immigrants by country of origin and nationality may be affected accordingly.

3.1 Analysis and Interpretation of Migration Statistics

3.1.1 MIGRATION FLOWS

Increases in immigration flows occurred in 2007, with high rates of both immigration and emigration recorded.

This period saw a net migration of 64,394, with recorded immigration reaching a high of 103,260 (Table 7). This represented a decrease of 4.8 per cent in net migration from 2006 which was recorded at 67,650. During 2007 recorded emigration also continued to increase, from 34,350 in 2006 to 38,866 during 2007 (an increase of 13.1 per cent). The overall legally-resident population continued to increase year-on-year by 2.4 per cent (104,370).

⁴ Special calculation by the Central Statistics Office (CSO) citing 1 January figures.

Table 7: Migration Flows, 1999-2007

	1999	2000	2001	2002	2003	2004	2005	2006	2007
Legally resident population (1st January)*	3,732,006	3,777,565	3,832,783	3,899,702	3,964,191	4,028,851	4,111,672	4,208,156	4,312,526
Recorded immigration (1st January)**	48,175	51,675	57,400	64,925	61,725	58,875	78,075	102,000	103,260
Recorded emigration (1st January)**	30,775	27,825	26,300	25,750	28,375	27,200	28,675	34,350	38,866

Source: CSO.

* Legally resident population (1st January): Special 1 January calculation by CSO.

**Recorded immigration/emigration (Year ended 1st January): special calculation by CSO.

3.1.2 POPULATION BY CITIZENSHIP IN 2007

Figures provided by the Central Statistics Office in Ireland show that 452,306 non-Irish nationals were accounted for in the State on 1 January 2007 (Table 8). A further breakdown by citizenship was not available.

Table 8: Population by Main Groups of Citizenship, 2007

	2007
Total Population	4,312,526
Nationals	3,860,220

Source: Central Statistics Office.

3.1.3 ANNUAL TOTAL OF FIRST ISSUING OF RESIDENCE PERMITS IN 2007

Irish data does not fit easily into the categories supplied in Table 9 in which only employment permits are represented for 2004, 2005. Data on Certificates of Registration from the Gardaí (police) may be helpful in supplementing the data on employment permits and is provided for 2006 and 2007.

Table 9: Annual Total Number of Residence Permits Issued According the Main Categories for Migration (Excluding Seasonal Workers), 2004-2007

	2004		2005		2006		2007	
	Positive Decisions		Positive Decisions		Positive Decisions		Positive Decisions	
	Total	Sub-total	Total	Sub-total	Total	Sub-total	Total	Sub-total
Total	:	:	:	:	:	144,090**	:	155,253**
Family formation/reunification	:	:	:	:	:	:	:	:
- spouse	:	:	:	:	:	:	:	:
- children < 18 years	:	:	:	:	:	:	:	:
- other family members	:	:	:	:	:	:	:	:
Study	:	:	:	:	:	:	:	:
- pupils	:	:	:	:	:	:	:	:
- students	:	:	:	:	:	:	:	:
Employment	:	:	:	:	:	:	:	:
- self-emp. persons	:	:	:	:	:	:	:	:
- employed persons	:	34,710*	:	28,909*	26,611*	:	:	23,591***
Other categories	:	:	:	:	:	:	:	:

Source: Department of Enterprise, Trade and Employment; Department of Justice, Equality and Law Reform.

* These data represent the number of employment permits (work permits, work visas plus work authorisations) issued in the reference year. Renewals are included. Groups work permits are excluded therefore one permit = 1 person.

** These data represent the number of 'Total Registrations by Stamp'.

*** These data represent the number of employment permits (work permits only, work visa/authorisation discontinued as from 31 December 2006) issued in the reference year. Renewals are included. Groups work permits are excluded, therefore one permit = 1 person.

Some 155,253 Certificates of Registration, referring to new registrations and renewals, were issued during 2007, representing an increase of 7.7 per cent on corresponding figures for 2006. As discussed in greater detail in the Annual Policy Report on Asylum and Migration Statistics for Ireland (2006), a Certificate of Registration is issued by the Garda National Immigration Bureau (GNIB) to lawfully resident non-Irish and non-EEA nationals who expect to stay in the State for more than three months. A certificate of registration card contains one of a number of different immigration stamps.

With the exception of the Stamp B and 'Unrecorded' categories, all other Stamp categories showed an increase in those issued. The largest percentage increase was under Stamp 4, the 'EU Family' stamp, which saw an increase of over 80 per cent (81.2 per cent, from 916 stamps during 2006 to 1,660 during 2007).

A breakdown per category of stamp is available as follows:

Stamp number 1 is issued to non-EEA nationals who have an employment permit or business permission. During 2007, 31,472 such stamps (newly issued and renewals) were issued.

Stamp number 2 is issued to non-EEA national students who are permitted to work under certain conditions. During 2007, 36,019 such stamps (newly issued and renewals) were issued.

Stamp number 2A is issued to non-EEA national students who are not permitted to work. During 2007, some 3,701 such stamps (newly-issued and renewals) were issued.

Stamp number 3 is issued to non-EEA nationals who are not permitted to work. During 2007, some 17,220 such stamps (newly-issued and renewals) were issued.

Stamp number 4 is issued to people who are permitted to work without needing an employment permit or business permission; Non-EU EEA nationals; Spouses and dependants of Irish and EEA nationals; People who have permission to remain on the basis of parentage of an Irish child; Convention and Programme refugees; People granted leave to remain; Non-EEA nationals on intra-company transfer; Temporary registered doctors; Non-EEA nationals who have working visas or work authorisations. During 2007, some 63,748 such stamps (newly-issued and renewals) were issued.

Stamp number 4 (EU FAM) is issued to non-EEA national family members of EU citizens who have exercised their right to move to and live in Ireland under the European Communities (Free Movement of Persons) Regulations 2006. 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. During 2007, some 1,660 'EU FAM' stamps (newly-issued and renewals) were issued.

Stamp number 5 is 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. During 2007, 149 such stamps (newly-issued and renewals) were issued.

Stamp number 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.⁵ During 2007, 17 such stamps (newly issued and renewals) were issued.

An additional 7 stamps A and B were also issued, with 1,260 listed as 'unrecorded'.

Applications for naturalisation increased by 13 per cent during 2007, with some 8,003 applications received. During the year, 1,501 naturalisation certificates and 3,148 post nuptial citizenship certificates were issued. Over 150,000 visa applications were processed worldwide in 2007, including 66,000 re-entry visas.⁶

⁵ Quinn, E., J. Stanley, C. Joyce, P.J. O'Connell (2008). *Handbook on Immigration and Asylum in Ireland 2007*, Dublin: ESRI.

⁶ Department of Justice, Equality and Law Reform (2008). Annual Report 2007. Available at www.justice.ie.

Table 10: Employment Permits Issued, 2002-2007

	2002	2003	2004	2005	2006	2007
Employment Permits issued	42,498	48,162	34,710	28,909	26,611	23,591

Source: Department of Enterprise, Trade and Employment.

There was a year-on-year decrease (11.3 per cent) in employment permits⁷ issued during 2007 when 23,591 such permits were issued (Table 10). As noted in the previous report in this series, the number of employment permits (between 2000 and 2006 this figure included work permits, visas and authorisations) issued by the Department of Enterprise, Trade and Employment have decreased steadily each year since a high of 48,162 in 2003. Of note is that the Department of Enterprise, Trade and Employment announced the cessation of the Working Visa/Authorisation scheme with effect from 31 December 2006. Arguably this decrease in permits issued may have been attributable to the forthcoming and eventual EU-10 Accession in May 2004, making a larger labour force available from within the European Union. Further information on work permit issuance per sector and nationality is available in section 5.1.

Table 11 shows the number of allocated Personal Public Service numbers (PPSNs)⁸ for non-Irish nationals. There was a 2 per cent decrease in the overall number of PPSNs issued during 2007, with numbers allocated to non-Irish nationals decreasing by 3.6 per cent on 2006 figures.

Table 11: PPSN Issued by Nationality, 2003-2007

	Ireland	Non-National	Total
2003	86.9	104.7	191.6
2004	86.7	133.3	220.0
2005	80.2	191.0	271.2
2006	80.8	231.1	311.9
2007	87.6	218.0	305.6

Source: International Migration and Ireland, 2008. OECD Continuous Reporting System on Migration (SOPEMI), citing www.welfare.ie

⁷ During 2006 employment permits comprised work permit renewals; new permits; work visas and work authorisations. Group permits were not included. The work visa and work authorisation programme was introduced in 2000 to facilitate the recruitment of non-EU nationals in the areas of information and computing technologies, construction professionals, and a broad range of medical, health and social care professions.

⁸ PPSN Numbers are used to access benefits and information from public service agencies more quickly and more easily such as social welfare, revenue, public healthcare and education.

3.2 Contextual Interpretations

3.2.1 MAIN TRENDS AND MOST IMPORTANT DEVELOPMENTS IN THE AREA OF MIGRATION POLICY DURING 2007

The Employment Permits Act 2006 came into operation on 1 January 2007. As discussed in greater detail in the Annual Policy Report on Asylum and Migration Statistics for Ireland (2006), this piece of legislation provided for the introduction of significant changes to the existing employment permits system. Reflecting the general policy of meeting most domestic labour needs from within the enlarged EU, the Act contained a reformed system with three elements including a type of 'Green Card' for any position with an annual salary of €60,000 or more in any sector, (or for a restricted list of occupations) where skill shortages have been identified and with an annual salary range from €30,000 to €59,999; a re-established Intra-Company transfer scheme for temporary trans-national management transfers; and a Work Permit scheme for a very restricted list of occupations up to €30,000 and where the shortage is one of labour rather than skills.

Prior to the accession of Romania and Bulgaria to the EU in January 2007, restrictions were put in place regarding access to the labour market for newly-arrived nationals of these Member States. Bulgarian and Romanian nationals already legally resident in Ireland prior to Accession, and those arriving subsequently as self-employed, were exempt from restrictions. Upon announcement of the policy in October 2006 the Minister for Enterprise, Trade and Employment said that this decision was influenced by the substantial flows of immigrants from the ten new EU Member States post accession in 2004.

During 2007, a new position of Minister of State with special responsibility for Integration Policy was created after the general election. This new cross-departmental ministry was allocated €9m in the 2008 national budget. Within the Department of Justice, Equality and Law Reform, an Anti-Human Trafficking Unit was established in 2007 to work with governmental and non-governmental agencies in developing coordinating and implementing the Government's national strategy to address human trafficking in Ireland.

In January 2007, a new category of Spousal/Dependant Work Permits was announced, which superseded previous schemes. Coming into effect on 1 February 2007, the Spousal and Dependent Scheme was designed to facilitate ease access to employment for spouses and dependent unmarried children under the age of 18 who have been admitted into Ireland as family members of employment permit holders. The new arrangements did not remove the need for a work permit, but rather allowed spouses and dependants of employment permit holders to apply for work permits for any occupation without the requirement of a labour market needs test. They or their employer are still required to apply for an employment permit in the usual way.

In April 2007, the Third Level Graduate Scheme was implemented, establishing provisions for non-EEA students, who have graduated on or after 1 January 2007 with a degree from an Irish third-level educational institution, to be permitted to remain in Ireland for six months. The Scheme

made provisions to allow graduates to find employment and to make an application under the Scheme for a work permit or Green Card. During this six-month period they may work full time without the need for an employment permit. However, they are not permitted to engage in self-employment or to operate a business in the State.⁹

A further administrative scheme was announced with regard to the renewal of leave to remain for the non-national parents of Irish-born children granted permission to remain under the Irish Born Child (IBC/05) Scheme in early 2007. Successful applicants under the renewal process have had their leave to remain renewed for up to three years, at which stage those qualifying will be eligible to apply for full citizenship. In order to qualify for a renewal an applicant must: have been successful under the first IBC/05 scheme, must have been living in Ireland with his or her child since being granted permission to remain and must have made every effort to become economically viable. By the end of 2007, 14,035 applications for renewal had been received and 13,697 positive decisions granted.

During 2007, Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research took place and was transposed on the 12 October 2007 by the administrative Scheme for Accreditation of Research Organisations under powers provided by existing legislation.

As discussed in the Annual Policy Report on Asylum and Migration for Ireland (2006), the signing into law of the European Communities (Free Movement of Persons) Regulations 2006, which give effect in Irish law to Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States took place during 2006 via S.I. No.656 of 2006 and was enacted during 2007.

3.2.2 EXISTING CATEGORIES OF ADMISSION OR NON-ADMISSION IN 2007

Categories of admission of non-EU nationals for which data is available are categorised according to 'Certificates of Registration' (as outlined above), and includes work permit holders. Other categories of admission on which data are not freely available include: student migration, family reunification/formation; and self-employment.

On foot of the Immigration Act 2004, Section 4, a non-Irish national may be refused admission to Ireland if he or she:

Is not in a position to support himself or herself and any accompanying dependants;

Is not in possession of a valid employment permit or relevant visa;

- Is not in possession of a passport or relevant identity document;

⁹ Irish Naturalisation and Immigration Service, 2007. Third Level Graduate Scheme.

Available at

<http://www.inis.gov.ie/en/INIS/GraduateScheme.pdf/Files/GraduateScheme.pdf>

- Is the subject of a deportation/exclusion order or a determination by the Minister that it is conducive to the public good that he or she remain outside the State;
- Suffers from certain conditions/diseases/addictions;
- Has been convicted of an imprisonable offence;
- Is considered likely to abuse the Common Travel Area with the UK;
- Is considered a threat to national security;
- Is believed to be seeking entry to the State for purposes other than those expressed to the Immigration Officer.

3.2.3 EUROPEAN/INTERNATIONAL FACTORS EXPLAINING CERTAIN CHANGES/CONTINUITY REGARDING MIGRATION IN 2007

S.I. No. 656 of 2006 (European Communities (Free Movement of Persons) (No. 2) Regulations 2006), and S.I. No. 657 of 2006 (The Immigration Act 2004 (Visas) (No. 2) Order 2006) came into operation on 1 January 2007.¹⁰ As discussed in section 3.2.1, S.I. No. 656 of 2006 came into operation in 2007 and gave effect to Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. S.I. 656 of 2006 replaced the European Communities (Free Movement of Persons) Regulations 2006 (S.I. No. 226 of 2006) consequent upon the enlargement of the European Union on 1 January 2007.

¹⁰ S.I. 656 of 2006 was thereafter amended by S.I. 310 of 2008 to reflect the decision in the *Metock* Case. See Joyce (2008) for further discussion.

4. REFUSALS, APPREHENSIONS AND REMOVALS

Available data in this section are limited, particularly those related to apprehended non-Irish nationals.

4.1 Analysis and Interpretation of Statistics

4.1.1 DEVELOPMENTS/TRENDS PERTAINING TO THE NUMBER OF REFUSALS IN 2007

During 2007 some 6,272 non-Irish Nationals (asylum seekers and persons refused leave to land at all Irish ports) were refused entry to Ireland (Table 12). This represents a 6.5 per cent increase on comparable figures for 2006 and continues the trend of increased refusals since 2005.

Table 12: Total Number of Refused Non-Irish Nationals During the Period 2001-2007

	2001	2002	2003	2004	2005	2006	2007
Number of Refused Aliens	5,504	5,647	5,826	4,763	4,807	5,885*	6,272**

Source: Eurostat; Department of Justice, Equality and Law Reform.

** *Source:* CIREFI

Table 13 shows that the main countries of citizenship of third-country nationals refused entry is Brazil, representing almost 30 per cent of all refusals (28.8 per cent). Chinese nationals (including Hong Kong citizens) constituted the second large grouping of refusals, at 9 per cent; Nigerian nationals comprised the third largest single nationality grouping of refusals, representing 7.6 per cent. Six of the same ten countries of nationality are listed in both 2006 and 2007, with Brazil, China and Nigeria showing increases in refusals and South Africa and Malaysia showing slight decreases in the number of refusals of their nationals. Refusals of nationals of Pakistan remained the same during 2007.

Table 13: Refused Aliens by Main Country of Citizenship, 2007

Country	Total
TOTAL	6,272
Brazil	1,808
China (including Hong Kong)	569
Nigeria	482
Unknown	303
South Africa	252
Malaysia	239
Mauritius	130
Pakistan	123
Moldova, Republic of	113
Somalia	105
Others	2,148

Source: Department of Justice, Equality and Law Reform.

4.1.2 DEVELOPMENTS/TRENDS PERTAINING TO THE NUMBER OF APPREHENSIONS OF ILLEGALLY-RESIDENT THIRD-COUNTRY NATIONALS IN 2007

Table 14: Apprehended Non-Irish Nationals, 1997-2002

	1997	1998	1999	2000	2001	2002
Number of Apprehended Aliens	6	24	24	25	52	115

Source: Eurostat.

No data is available on the number of apprehended non-Irish nationals for 2003, 2004, 2005, 2006 or 2007 (Table 14).

4.1.3 DEVELOPMENTS/TRENDS PERTAINING TO THE NUMBER OF REMOVALS IN 2007

Table 15: Annual Totals of Deportation Orders Effected During the Period 1999-2007

	1999	2000	2001	2002	2003	2004	2005	2006	2007
Deportation Orders Effected	6	188	365	521	591	599	396	302	142

Source: Department of Justice, Equality and Law Reform.

There was a notable decrease of 52.9 per cent in the number of deportation orders effected during 2007 in comparison to 2006 (Table 15). Chinese, Nigerian and Moldovan nationals were included in the main groupings of nationality of those deported during 2007 and 2006, with Chinese nationals showing an increase of 13.5 per cent of deportees during 2007. There was a decrease in the number of Nigerian and Moldovan nationals deported during 2007 at 57.5 per cent and 40.0 per cent respectively.

As Table 16 shows, regarding Transfer Orders under the EU Dublin II Regulation, there was also a decrease in the number of Orders effected (23.4 per cent). Eritrean, Somali and Sudanese nationals were among the main groupings of nationality of those transferred under the Dublin II Regulation during both 2006 and 2007. On a year on year basis, during 2007 Eritrean nationals showed a large increase in those transferred (at 243.7 per cent), while decreases in the number of Somali (38.8 per cent) and Sudanese (45.45 per cent) nationals took place during the same year.

Table 16: Transfer Orders Effected Under Dublin II Regulation, 2004-2007

	2004	2005	2006	2007
Transfer Orders Effected	65	209	294	225

Source: Department of Justice, Equality and Law Reform.

The number of voluntary returns taking place during 2007 increased sharply by 75.8 per cent on corresponding figures for 2006 (Table 17). Of the 2007 figures, 255 returns were assisted by the International Organization for Migration (IOM) Dublin office and 162 persons received administrative assistance facilitating return by the Department of Justice, Equality and Law Reform.

Table 17: Voluntary Returns Effected, 2005-2007

	2005	2006	2007
Voluntary Returns Effected	335	238	417

Source: Department of Justice, Equality and Law Reform.

In 2007, for the first time, European citizens were removed in accordance with Regulation 20(1)(a) of the European Communities (Free Movement of Persons), (No 2), Regulation 2006. Removal Orders were made against nine persons, and four persons were removed to various EU States during the year.

4.1.4 REFUSED, APPREHENDED, AND REMOVED MIGRANTS IN 2007

Table 18: Deportation Orders Effected by Citizenship, 2007

	Total
Total	142
China	42
Nigeria	34
Brazil	20
Moldova	12
Others	34

Source: Department of Justice, Equality and Law Reform.

Table 19: Transfer Orders Effected by Citizenship, 2007

	Total
Total	225
Eritrea	55
Somalia	33
Iran	23
Sudan	18
Nigeria	17
Others	79

Source: Department of Justice, Equality and Law Reform.

Total removed aliens by main countries of citizenship include removals made under Deportation Orders. Table 18 shows that during 2007, Chinese nationals constituted the largest single grouping of deported nationals (29.5 per cent), followed by Nigerian nationals (23.9 per cent).

Table 19 shows the main nationalities of those removed under Transfer Orders under the Dublin II Regulation. Nationals of Eritrea represent the largest group transferred, representing almost a quarter of all transfers effected (24.4 per cent). Somali nationals represent the second largest single grouping, at 14.6 per cent. Nigeria is the only country to appear in both effected Deportation Order and Transfer Order nationality breakdowns.

Information on apprehended migrants by main countries of citizenship in 2007 is not available.

4.2 Contextual Interpretations

4.2.1 NEW OR AMENDED LAWS INFLUENCING ILLEGAL IMMIGRATION IN 2007

Ireland signed the Council of Europe Convention on Action against Trafficking in Human Beings in April 2007.

4.2.2 PROCEDURAL CHANGES INFLUENCING ILLEGAL IMMIGRATION IN 2007

During 2007 the Department of Justice, Equality and Law Reform established dedicated visa offices in London, Abuja and Cairo, in addition to existing offices in Moscow, Beijing and New Delhi. The aim of establishment of this network of offices was to increase the ‘speed and efficiency of visa processing’¹¹ while enabling staff to make a full range of visa decisions with the benefit of local knowledge.

4.2.3 EUROPEAN/INTERNATIONAL FACTORS EXPLAINING CERTAIN CHANGES/CONTINUITY REGARDING ILLEGAL ENTRY IN 2007

During the year arrangements were made which allow for participation by Ireland in the activities of the European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union (FRONTEX). While Ireland is not bound by, or subject to, the application of the Regulation establishing FRONTEX, article 12 of the Regulation provides that the Agency shall facilitate operational co-operation of the Member States with Ireland in matters covered by its activities and to the extent required for the fulfilment of its tasks.

¹¹ Department of Justice, Equality and Law Reform (2008). *Annual Policy Report 2007*. Available at www.justice.ie

5. OTHER DATA AND INFORMATION AVAILABLE

5.1 Labour Market and Employment

As discussed in section 3.1.3, there was a year-on-year decrease (11.3 per cent) in employment permits¹² issued during 2007 when 23,591 such permits were issued. This decrease also represents a continuing pattern of decrease as from 2004. This trend most likely reflects both a wider potential labour force post-Accession in 2004 (Ireland offered full labour market access to all Accession countries), and a governmental policy of sourcing labour from within the European Union at first instance and if at all possible.

Table 20 demonstrates the number of work permits issued and renewed by nationality, and provides a breakdown of main countries of citizenship of permits issued to non-EEA nationals.

During 2007, Indian nationals accounted for the single largest group of work permits (4,069, representing an increase of 87.8 per cent on corresponding 2006 figures) according to nationality; closely followed by nationals of the Philippines (3,885, representing a 0.9 per cent increase), and Other Eastern Europe countries (3,232, representing a decrease of 41.7 per cent).

¹² During 2007, employment permits comprised work permit renewals and new permits only, and excluded group permits. Prior to 2007, employment permits comprised work permit renewals; new permits; work visas and work authorisations. Group permits were not included. The work visa and work authorisation programme was introduced in 2000 to facilitate the recruitment of non-EU nationals in the areas of information and computing technologies, construction professionals, and a broad range of medical, health and social care professions. This programme ceased operation on 31 December 2006. For the purposes of the following tables, group permits are included in final figures.

Table 20: Work Permits Issued and Renewed by Nationality, 1998-2007¹³

Country, Region	1998	2001	2003	2004	2005	2006	2007
USA, 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

Source: Department of Enterprise, Trade and Employment website: www.entemp.ie

Notes: 1. The ten new EU Member States 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, Yugoslavia (FYR)

Table 21 provides an analysis of the number of work permits issued and renewed by sector.

Table 21: Work Permits Issued and Renewed by Sector, 1998-2007¹⁴

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; www.entemp.ie

Of interest, certain categories of sector showed an increase in the number of permits issued during 2007, specifically medical/nursing (an increase of 51.7 per cent, education (an increase of 12.9 per cent) and industry (an increase of 5.9 per cent).

¹³ Quinn, E., J. Stanley, C. Joyce, P.J. O'Connell (2008). *Handbook on Immigration and Asylum in Ireland 2007*. Dublin: ESRI.

¹⁴ O'Connell, P.J. (2009) International Migration and Ireland, 2008. OECD Continuous Reporting System on Migration (SOPEMI).

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