

IRELAND | PROFILE 2021

# MIGRATION GOVERNANCE INDICATORS



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# MIGRATION GOVERNANCE INDICATORS



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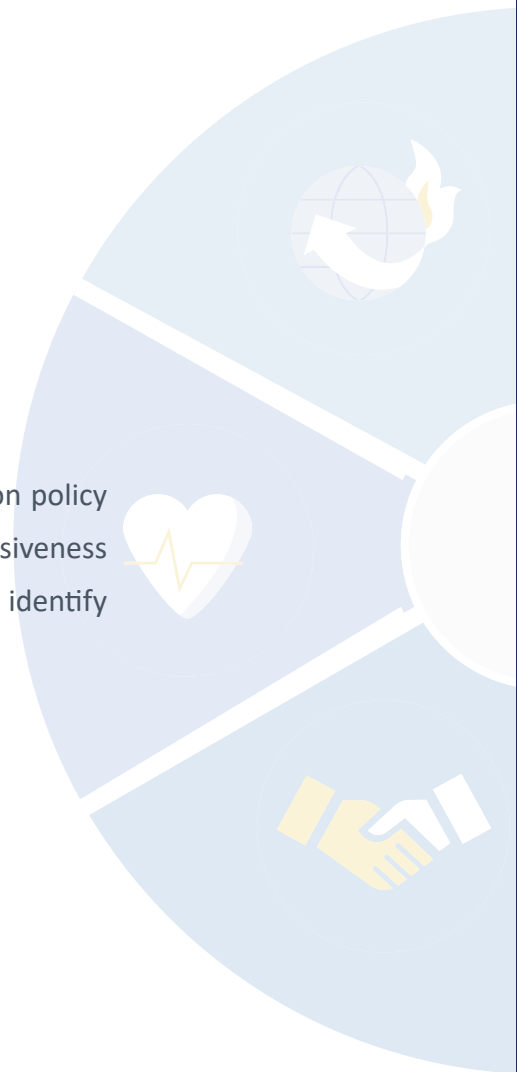
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## OBJECTIVE

The MGI aims to support well-managed migration policy by helping countries assess the comprehensiveness of their migration governance structures and identify priorities on the way forward.



The MGI can be used to spark a discussion with governments and other relevant stakeholders in the country on existing migration policy structures. It can help assess whether these structures, which have often been in place for several years, still address the main challenges and opportunities of today's reality.

# INTRODUCTION

This is an era of unprecedented mobility, and the need to facilitate orderly, safe, regular and responsible migration and mobility is becoming increasingly relevant.<sup>1</sup> The need to face the challenges and to maximize the opportunities that this mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, which highlights the positive contribution of migrants to inclusive growth and development. Migration is integrated in a number of Sustainable Development Goal (SDG) targets, such as ending modern slavery and addressing the vulnerability of migrant workers. However, the central reference to migration in the SDGs is Target 10.7 on facilitating “orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.<sup>2</sup>

The incorporation of Target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances.<sup>3</sup> The Framework was welcomed by IOM Member States in the same year.

In an effort to operationalize the MiGOF, IOM worked with Economist Impact to develop the Migration Governance Indicators (MGI), a standard set of approximately 90 indicators to assist countries in assessing their migration policies and advance the conversation on what well-governed migration might look like in practice.

The MGI helps countries identify good practices as well as areas with potential for further development and can offer insights on the policy levers that countries can use to develop their migration governance structures. However, the MGI recognizes that all countries have different realities, challenges and opportunities that relate to migration. Therefore, the MGI does not rank countries on the design or implementation of their migration policies. Finally, the MGI does not measure migration policy outcomes or institutional effectiveness. Instead, it takes stock of the migration-related policies in place and operates as a benchmarking framework that provides insights on policy measures that countries might want to consider as they progress towards good migration governance.

This country profile presents a summary of the well-developed areas of the migration governance structures of Ireland, as well as the areas with potential for further development, as assessed by the MGI.<sup>4</sup>

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<sup>1</sup> IOM Standing Committee on Programmes and Finance, seventeenth session (S/17/4 of 29 September 2015), article 2.

<sup>2</sup> IOM Council, 106th session, Migration Governance Framework (C/106/40 of 4 November 2015), page 1, footnote 1. Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

<sup>3</sup> Ibid.

<sup>4</sup> The MGI initiative is a policy-benchmarking programme led by IOM and implemented with the support of Economist Impact. Funding is provided by IOM Member States.

# CONCEPTUAL FRAMEWORK

## MiGOF

The IOM MiGOF sets out the essential elements to support planned and well-managed migration. It seeks to present, in a consolidated, coherent and comprehensive way, a set of three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, orderly, and benefits migrants and society.

### PRINCIPLES

1. **Adherence** to international standards and fulfilment of migrants' rights.
2. **Formulates** policy using evidence and "whole-of-government" approach.
3. **Engages** with partners to address migration and related issues.

### OBJECTIVES

1. **Advance** the socioeconomic well-being of migrants and society.
2. **Effectively** address the mobility dimensions of crises.
3. **Ensure** that migration takes place in a safe, orderly and dignified manner.

At the basis of

## MGI

### WHAT IT IS



A set of indicators that offers insights on policy levers that countries can use to strengthen their migration governance structures



A tool that identifies good practices and areas that could be further developed



A consultative process that advances dialogues on migration governance by clarifying what "well-governed migration" might look like in the context of SDG Target 10.7

Which supports the measurement of

### WHAT IT IS NOT



Not a ranking of countries



Not assessing impacts of policies



Not prescriptive



### TARGET 10.7

"Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and **well-managed migration policies**."



KEY

FINDINGS

The MGI is composed of around 90 indicators grouped under the 6 different dimensions of migration governance that draw upon the MiGOF categories:



MIGRANTS'  
RIGHTS  
PAGE 12

Indicators in this domain look at the extent to which migrants have access to certain social services such as health, education and social security. It also looks at family reunification, access to work, and access to residency and citizenship. The international conventions signed and ratified are also included.



WHOLE-OF-GOVERNMENT  
APPROACH  
PAGE 15

Indicators in this area assess countries' institutional, legal and regulatory frameworks related to migration policies. This area also looks at the existence of national migration strategies that are in line with development objectives and overseas development efforts, as well as institutional transparency and coherence in relation to migration management.



PARTNERSHIPS  
PAGE 17

This category focuses on countries' efforts to cooperate on migration-related issues with other States and with relevant non-governmental actors, including civil society organizations and the private sector.



WELL-BEING  
OF MIGRANTS  
PAGE 19

Indicators in this area assess countries' policies on the recognition of migrants' educational and professional qualifications, provisions regulating student migration and the existence of bilateral labour agreements between countries. Aspects of diaspora engagement in the country of origin and migrant remittances are also under this domain.



MOBILITY DIMENSION  
OF CRISES  
PAGE 22

This category looks at the type and level of preparedness of countries when they are faced with mobility dimensions of crises. The questions look at the processes in place for nationals and non-nationals both during and after disasters, including if humanitarian assistance is equally available to migrants as it is to citizens.



SAFE, ORDERLY  
AND REGULAR  
MIGRATION  
PAGE 24

This area looks at countries' approach to migration management in terms of border control and enforcement policies, admission criteria for migrants, preparedness and resilience in the case of significant and unexpected migration flows, as well as the fight against trafficking in persons.



## 1

## ADHERENCE TO INTERNATIONAL STANDARDS AND FULFILMENT OF MIGRANTS' RIGHTS

### 1.1. International conventions ratified

**Table 1.** Signature and ratification of international conventions

Convention name	Ratified (Year)
International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97)	No
United Nations Convention relating to the Status of Refugees (also known as the Refugee Convention), 1951	Yes (1956)
United Nations conventions on statelessness, 1954 and 1961	Yes (1973)
ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	No
United Nations Convention on the Rights of the Child (UNCRC), 1989	Yes (1992)
United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), 1990	No
ILO Protocol to the Forced Labour Convention, 1930	Yes (2019)

### 1.2. Migration governance: Examples of well-developed areas

Regular migrants considered as being ordinarily residents in Ireland by the Health Service Executive (HSE) have equal access to health services as nationals.<sup>5</sup> Under the 1970 and 2007 Health Acts, migrants of non-European Union (EU) or non-European Free Trade Association (EFTA) countries who prove they are ordinary residents and will remain in Ireland for at least a year are entitled to a Category 1 Medical Card, which grants the cardholder access to free or subsidized health services. Migrants with irregular status do not receive a medical card, and they are entitled only to essential medical treatment and services.<sup>6</sup>

Migrants have equal access to primary and secondary education as nationals, regardless of their migration status. According to the Education (Welfare) Act (2000), education in Ireland is compulsory from the age of 6 to 16 or until students have completed three years of second-level education. Under the Equal Status Acts (2000–2018), education admission policy cannot discriminate on the grounds of nationality or legal status. Migrants also have equal access to vocational training as nationals, as established by *Learning for Life: White Paper on Adult Education* (2000). Vocational training in the country includes all Post Leaving Certificate (PLC) courses, the Youthreach programme, and Vocational Training Opportunities Scheme programmes.<sup>7</sup>

<sup>5</sup> The rules on ordinary residence and means in respect of health services are not provided for in legislation. Rather they are set down by the HSE in the form of guidelines. The HSE guidelines as of November 2021 indicate to the effect that a person living in Ireland for at least one year is considered to be ordinarily resident for the purposes of section 45 of the Health Act of 1970.

<sup>6</sup> Under the National Referral Mechanism (NRM) (2016), suspected trafficked victims are entitled to medical and psychological care. The HSE also provides medical services to human trafficking victims and migrant women in prostitution with their Women's Health Project. Under the Child Care Act (1991) and the International Protection Act (2015), the HSE is responsible for the full needs of separated children seeking asylum in the country.

<sup>7</sup> PLC courses are full-time programmes for young people who have completed their Leaving Certificate as well as adults returning to education. The course lasts one to two years and leads to a National Framework of Qualifications (NFQ) Level 5 or Level 6 certificate.

Migrants with valid work and residence permits<sup>8</sup> have equal access to social protection as nationals. Irish social protection law does not include any nationality or duration of residence requirements. Migrants' access to benefits is based on a habitual residence condition. In practice, habitual residence means that a person has a proven close link to Ireland, has been in the country for some time and intends to stay for the foreseeable future. Migrants considered as habitual residents have access to unemployment, pension and family benefits. The spouses, civil partners or cohabitants and any dependent children of migrants are not required to satisfy the habitual residence condition in their own right to access social protection.

Ireland has bilateral agreements with Australia (1992, 2005), Austria (1989), Canada (1991), Japan (2010), New Zealand (1994), the Republic of Korea (2008), Switzerland (1999), the United Kingdom (2007, 2020), the United States of America (1993) and Quebec (1995) on the portability of social security entitlements and earned benefits, including old-age pensions.<sup>9</sup>

Nationals of the European Economic Area (EEA), Switzerland and the United Kingdom have equal access to work in Ireland as Irish citizens, and they do not have to obtain an employment permit. Their spouses, partners and dependants who have secured the right to remain in the country also do not need an employment permit to work. Protection applicants (such as asylum seekers), international students with permission to remain in Ireland, and parents of an Irish national<sup>10</sup> who have secured the right to remain in the country can also work without an employment permit after a labour market access permission is granted by the Department of Justice. Once a non-EEA national has worked in Ireland on a General Employment Permit for five consecutive years or has held a Critical Skills Employment Permit for two or more years, they no longer need an employment permit to remain employed in the country as they are granted a residence permit. Employment permit holders on their first employment in Ireland can change employers after 12 months, while permit holders on their second employment can change employers at any point during the permit's validity.

Foreign residents can apply for a long-term residence permit after legally residing in Ireland for a minimum of five years. Eligible applicants who either have an employment permit or are a spouse or a dependant of an employment permit holder are granted permission to remain on a Stamp 4,<sup>11</sup> valid for five years and which can be renewed at the local Immigration Office. Foreign residents in the State who have completed eight years of residency in the country can apply for a Stamp 5 permission (Without Condition as to Time).<sup>12</sup> This permission is granted for the length of the person's passport validity.<sup>13</sup>

Ireland puts in place measures to combat hate crimes, violence, xenophobia or discrimination against migrants. The Migrant Integration Strategy (2017–2020), which was extended to 2021, includes conducting a review of current legislation, increasing funding for measures that combat racism and xenophobia, and reporting on hate crimes. As of November 2021, the Anti-Racism Committee, established in 2020 in response to recommendations made during the Migrant Integration Strategy midterm review, is developing a new National Action Plan against Racism (NAPAR) for the country. Consultations on a Hate Crime Bill were closed in July 2021,<sup>14</sup> and the new Migrant Integration Strategy will be developed in 2022. The Prohibition of Incitement to Hatred Act (1989) also “prohibits incitement to hatred against groups of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins,

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<sup>8</sup> Some residence permits do not grant access to social protection, such as student permissions and Stamp 0 (elderly dependent relatives, persons of independent means, researchers).

<sup>9</sup> The agreements protect pension rights by allowing reckonable periods in each country to be taken into account in either country in determining entitlement to certain benefits where there would be no entitlement if national legislation only applied.

<sup>10</sup> Non-EEA elderly dependent parents are granted a Stamp 0 and cannot work unless stated in the permission letter.

<sup>11</sup> Stamp 4 indicates permission to stay in Ireland for a specified period, subject to conditions.

<sup>12</sup> Stamp 5 indicates permission to stay in Ireland without limits on the time, subject to other conditions.

<sup>13</sup> Eligible recipients must be of good character and not become an undue burden on the State. Ineligible persons include those on student permission and those who hold permission under the European Union Free Movement Directive.

<sup>14</sup> As part of the work to prepare the proposed legislation, the Department of Justice undertook a comprehensive public consultation which included a public survey and an opportunity for stakeholders to make formal submissions. In addition, the Department also carried out comparative research on international best practices in hate crime legislation.

membership of the travelling community or sexual orientation”.<sup>15</sup> Furthermore, the An Garda Síochána (the Irish national police) Diversity and Integration Strategy (2019–2021) includes among its objectives the promotion of migrant integration in the community and the training of the An Garda Síochána, to “build their competency and capacity to interact more effectively and positively with migrants, refugees, victims of hate crime and people from diverse and minority backgrounds”, to “monitor, respond to, and prevent the occurrence of hate crime”, and to support victims of hate crime “during the reporting, investigation and prosecution phases”.

### 1.3. Areas with potential for further development

Only EEA nationals benefit from equal access to private sector employment as Irish nationals. Private sector employment of non-EEA residents is subject to a Labour Market Needs Test which employers must satisfy before a General Employment or a Contract for Services Employment Permit can be issued.

Irish citizens living abroad do not have the right to vote in national elections unless they are on official military or diplomatic duty, in which case they and their spouses can vote via postal ballot, as established by the Electoral Act (1992).

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<sup>15</sup> The Migrant Integration Strategy contains nine actions under the theme “Promoting intercultural awareness and combating racism and xenophobia”, including commitments to strengthen legislation around hate crime/hate speech, and to support policing measures to address racially motivated crime.



## 2

## FORMULATES POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

### 2.1. Migration governance: Examples of well-developed areas

The Department of Justice (DOJ),<sup>16</sup> established by the Ministers and Secretaries Act (1924), is responsible for designing and coordinating the implementation of migration policy and strategies in Ireland, with the Migration Policy Unit being responsible for migration issues, including migration policy. In parallel, specific aspects of migration legislation fall under the responsibility of other ministerial bodies, who coordinate with the Migration Unit on these. For example, the Department of Enterprise, Trade and Employment formulates legislation pertaining to employment permits; the Department of Children, Equality, Disability, Integration and Youth designs and coordinates integration strategies; and diaspora engagement policies fall under the remit of the Department of Foreign Affairs (DFA).

Ireland has national legislation regulating immigration. The Immigration Act (2004) provides for the control of entry into the State, the duration and conditions of stay, and the obligations of migrants while in the territory. Also, in 2004, the Government passed the Irish Nationality and Citizenship Act, which amended the Irish Nationality and Citizenship Act of 1956, containing provisions for the acquisition and loss of Irish nationality and citizenship. The International Protection Act (2015) represents a significant development in the area of international protection; it reforms the system for assessing applications for international protection and introduces a single application procedure.

The DOJ provides a clear and transparent set of rules and regulations about migration and immigration permission, as well as guidelines for applicants, which are easily accessible on the Immigration Service Delivery (ISD) website. Citizens Information (a statutory body which supports the provision of information, advice and advocacy relating to public and social services) clearly outlines and provides access to rules, regulations, laws and rights around several issues, including health, social welfare, the environment, education and training, housing, and employment – and includes specific information for migrants. The information is available online in English and Irish.

The DFA is responsible for enacting emigration and diaspora policies, as well as engaging with the diaspora population. Part of its Statement of Strategy (2021–2023) is to increase connections across and within diaspora communities with a view to expanding Ireland's influence, to provide assistance to its diaspora, and to harness their contribution to economic recovery. Global Irish, a government body under the DFA, helps Irish people and people of Irish descent maintain their connections to Ireland and each other through information and support. For example, it offers an Emigrant Support Programme which consists of a global diaspora directory of over 1,000 organizations to connect with, as well as information on ways to stay connected to Ireland.

The Central Statistics Office regularly collects and publishes data on migration. State-level migration data disaggregated by age and sex is collected and compiled annually, with the most recent data recorded in April 2021. Nationality is disaggregated by broad country groupings, categorized as: Ireland, the United Kingdom, the European Union excluding Ireland, the 10 countries which joined the European Union in 2004, and the rest of the world. Collected data is used to produce estimates of the emigrant and immigrant population size, total net migration data, as well as statistics on the proportion of returned and emigrant Irish nationals. The compilation of annual population estimates is required under Regulation (EU) No. 1260/2013 on European demographic statistics and Regulation (EC) No. 862/2007, with which Ireland complies.

<sup>16</sup> Formerly known as the Department for Justice and Equality (DOJE) prior to June 2020, the Department was significantly restructured and has moved to a new functional organization model under two pillars, civil justice and criminal justice, each led by a Deputy Secretary General.

There are several questions in the Census of Ireland that relate specifically to migration – namely, questions on the country of birth, nationality, and cultural and ethnic background. The most recent census was conducted in April 2016, with results of the next one expected in 2023.

## 2.2. Areas with potential for further development

Ireland does not have an interministerial coordination mechanism for migration issues at the national level. The Migrant Integration Strategy Monitoring and Coordination Committee (MISMCC), led by the DOJ, was established the same year as the Migrant Integration Strategy (2017–2020) to coordinate its implementation. The Strategy was developed by the DOJ and laid out the Government’s approach to migrant integration for those legally residing in the country. The MISMCC was discontinued in 2020 when the Migrant Integration Strategy expired. The Government is in the process of developing its new Migration Integration Strategy as of November 2021. The Dublin City Council will also launch its Integration and Intercultural Strategy for Dublin once the national strategy is finalized. Further, Ireland does not have national emigration legislation.

Ireland makes efforts on an ad hoc basis to enhance vertical policy coherence on migration. For instance, the actions listed in the Migrant Integration Strategy were delivered by government departments, local authorities, local communities, the business sector, sporting and arts organizations, and non-governmental organizations (NGOs) across several policy areas related to the integration of migrants, including employment, education and social inclusion. From 2017 to 2020 (extended to 2021), the MISMCC is set to oversee the implementation of the Strategy; review implementation actions; agree to indicators for monitoring progress; assess whether further actions are required on specific issues; and contribute to the Government’s progress reports. Collaborations with local organizations include the Migrant Teacher Bridging Programme at the Marino Institute of Education, migrant integration work done through Sport Ireland, and integration actions through the Public Appointments Service working on diversifying its workforce. The MISMCC includes representatives from government departments, State agencies and NGOs, as well as the Local Government Management Agency.<sup>17</sup> The Department of Children, Equality, Disability, Integration and Youth has also supported various local authorities to develop their own Migrant Integration Strategies.

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<sup>17</sup> The Local Government Management Agency connects all 31 local authorities and provides regular feedback on their behalf.



## 3

ENGAGES WITH PARTNERS TO ADDRESS  
MIGRATION AND RELATED ISSUES

## 3.1. Migration governance: Examples of well-developed areas

Ireland is a member State of the Prague Process, a regional consultative process (RCP) which aims to explore and develop agreed-upon principles and elements for close migration partnerships between the participating countries. It is also a participating State of the Global Forum on Migration and Development (GFMD), which tackles the multidimensional aspects, opportunities and challenges related to international migration and its interlinkages with development. The country is an observer to the Intergovernmental Authority on Development Regional Consultative Process (IGAD-RCP), which aims to promote the common position of the IGAD member States and the African Union, as well as to facilitate regional dialogue and cooperation in migration management among them. Further, Ireland is a member State of several interregional consultative forums, including the EU–Horn of Africa Migration Route Initiative (2014); the Euro-African Dialogue on Migration and Development (2006); and the Budapest Process (2013) – an interregional dialogue on migration stretching from Europe to the Silk Route region and covering Europe’s Eastern neighbours, the Western Balkans and Central Asia – which has developed from an information-sharing tool between European countries to a far-reaching European–Asian forum for improving migration management,<sup>18</sup> among others.<sup>19</sup>

The country is part of regional agreements promoting labour mobility. As a member of the European Union, it is a party to the Consolidated Version of the Treaty on the Functioning of the European Union (2012), Article 217 of the Treaty on the Functioning of the European Union (Association Agreements) (2007), and the Insurance Act (1989). These regional agreements guide and promote labour mobility between the European Union, the European Economic Area (EEA) and Switzerland. Under these treaties, nationals of the United Kingdom, EEA or Switzerland (and their spouses, civil partners and dependants) have the right to work in Ireland without a work permit.

Ireland has a memorandum of understanding (MOU) related to migration with the United Kingdom regarding the Common Travel Area (CTA). Under the CTA, Irish and British citizens can move freely and reside in either jurisdiction and have associated rights and entitlements, including access to employment, health care, education, and social benefits, and the right to vote in local and national parliamentary elections.

Ireland participates in bilateral migration negotiations with the United Kingdom – the most recent of which was regarding the CTA following the United Kingdom’s withdrawal from the European Union, resulting in an MOU in 2019 reaffirming the commitment to maintaining the CTA in all circumstances.

Ireland engages civil society organizations (CSOs) in agenda-setting on migration-related issues. CSOs – such as the Migrant Rights Centre Ireland, Crosscare, Cairde, Nasc and the Immigrant Council of Ireland – were among the members of the Migrant Integration Strategy Monitoring and Coordination Committee (MISMCC) and will be included in the consultation process to develop the new Migrant Integration Strategy.

<sup>18</sup> The Budapest Process is a consultative forum with over 50 governments and 10 international organizations. These include Albania, Afghanistan, Armenia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Italy, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, North Macedonia, Norway, Pakistan, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, the United Kingdom and Uzbekistan.

<sup>19</sup> These also include the Intergovernmental Consultations on Migration, Asylum and Refugees (1999); the African, Caribbean and Pacific Group of States–European Union (APC–EU) Dialogue on Migration (2000); the Africa–EU Partnership on Migration, Mobility and Employment (2007); the Tripoli Process (2001); the Mediterranean Transit Migration (2006); the European Union–Latin America and the Caribbean Structured and Comprehensive Bi-regional Dialogue on Migration (2009); the Asia–European Union Meeting’s Conference of the Directors General of Immigration and Management of Migratory Flows (2012); and the Eastern Partnership Panel on Migration, Mobility and Integrated Border Management (2001).

The country formally engages members of the diaspora and expatriate communities in agenda-setting and the implementation of development policy. In 2020, Ireland engaged in a high-level policy dialogue on issues related to the diaspora with key partners, including Caribbean and African small island developing States (SIDS). In 2019, its Consulates in Atlanta, Nashville and Memphis in the United States held diaspora dialogue events to gather views on Ireland's new diaspora policy. The views expressed by the global Irish community were considered by the Irish Abroad Unit within the Department of Foreign Affairs, and they formed the basis of *Global Ireland: Ireland's Diaspora Strategy 2020–2025* (2020).

### 3.2. Areas with potential for further development

Ireland does not formally engage the private sector in agenda-setting for migration-related issues. For instance, the private sector is not involved in the development of the new Migrant Integration Strategy and the new National Action Plan Against Racism as of November 2021. However, the Migrant Integration Strategy contains actions aimed at encouraging private sector businesses to focus on integration. Ibec, Ireland's largest lobby and business representative group, was consulted on proposals to develop "diversity markers", and a representative from the Irish Congress of Trade Unions also sits on the MIS MCC.



## 4

ADVANCES THE SOCIOECONOMIC  
WELL-BEING OF MIGRANTS AND SOCIETY

## 4.1. Migration governance: Examples of well-developed areas

Ireland has a national assessment for monitoring the labour market demand for immigrants through a managed employment permits system that maximizes migration benefits while minimizing the risk of disrupting the labour market. The Department of Enterprise, Trade and Employment (DETE) administers employment permits, based on the needs identified through their critical skills and ineligible occupations lists. The DETE regularly reviews the lists through stakeholder and governmental consultations to attract specific skills and professionals. Eligible occupations on the lists are then accessible with a Critical Skills Employment Permit, which attracts highly skilled people into the labour market, with the aim of encouraging them to take up permanent residence in Ireland.

Ireland has a programme in place for managing labour migration with a clear distinction from its general immigration policies. In order to take up employment in the country, non-European Economic Area (EEA) nationals require a valid employment permit or relevant immigration permission allowing them to reside and work in the country without a permit. The employment permit system is governed by the Employment Permits Act (2006),<sup>20</sup> which provides for the granting of nine types of permits for different employment scenarios.

Ireland has a Critical Skills Employment Permit which is designed to attract highly skilled people into the labour market and to encourage them to take up permanent residence in the country. Eligible workers for this permit are those deemed critically important to the country's growing economy, including information and communications technology (ICT) professionals, engineers and technologists. They are determined in line with the Expert Group on Future Skills Needs' regular analysis of future skills concerning the labour market requirements for strategically essential skills. The Expert Group is an independent, non-statutory body comprising representatives from the business sector, the education and training sector, the enterprise development sector, trade unions and government departments.<sup>21</sup>

Ireland's Central Statistics Office collects data on the labour market through its quarterly Labour Force Survey which contains labour market data disaggregated by country of citizenship. With regard to the labour market status of the migrant population, the Irish National Census asks questions about the occupations and industries in which respondents, including migrants, are engaged.

Ireland has measures in place to promote gender equality which are also applicable to migrants. In 2019, the Department of Justice launched a grant funding round totalling EUR 10.3 million for 36 projects promoting migrant integration and gender equality. The projects, set to be delivered over three years, aim to provide practical help for immigrants, such as through English language classes and workplace training schemes, as well as supporting anti-racism and cultural diversity initiatives.<sup>22</sup>

Ireland has a scheme for allowing international students to work in the country after graduation, which is governed by the Third Level Graduate Programme: Immigration Rules for Non-EEA Students (2017). The Programme allows "legally resident Irish educated non-EEA graduates" holding an award from a recognized

<sup>20</sup> The Employment Permits Act was revised in 2016.

<sup>21</sup> These include the Department of Enterprise, Trade and Employment; the Department of Education; and the Department of Further and Higher Education, Research, Innovation and Science.

<sup>22</sup> For example, a project in Cork provides employment-readiness training to migrants on horticulture. A nationwide project provides training in schools to promote cultural diversity awareness and integration, while another provides a personal development programme, through participation in personal, physical, community and team challenges.

Irish awarding body to remain in the country after their studies, enabling them to seek graduate-level employment and apply for an employment permit.

International students in Ireland can work during their studies. The Immigration Service Delivery (ISD) administers two types of student permission: Stamp 2 and Stamp 2A. Stamp 2 grants permission to study a full-time course on the official Interim List of Eligible Programmes (ILEP) for a specified period, and it permits holders to work up to 20 hours per week during the academic year and up to 40 hours per week during the academic break. Stamp 2A, for short-term exchange students and specific schools not recognized by the Department of Foreign Affairs, grants permission for full-time study in Ireland for a course that is not on the official ILEP for a specified period, although students are not permitted to work or engage in any business, trade or profession.

## 4.2. Areas with potential for further development

Ireland allows international students to access university education, although they pay higher fees than Irish nationals, EEA nationals, those from the United Kingdom or Switzerland, and persons who are eligible for the Free Fees Initiative.<sup>23</sup> Since 1 June 2015, non-EEA nationals have been able to access eligible university courses at Level 6 or above on the National Framework of Qualifications<sup>24</sup> if they meet the institution's academic requirements. However, the maximum time that non-EEA students can study in Ireland at this level is seven years.

Ireland has developed limited measures to protect the rights of migrant workers, and these do not promote ethical recruitment specifically. The DETE is responsible for regulating the labour market and works to prevent labour exploitation by ensuring that migrant workers have access to their original employment permit and contract as well as setting minimum remuneration levels in compliance with the Employment Permits Act. The Employment Permits Act further prohibits the penalization of employees by employers or their agents for raising complaints in their employment, while the Employment Equality Acts (1998–2015) outlaw “discrimination in a wide range of employment and employment-related areas. These include recruitment and promotion; equal pay; working conditions; training or experience; dismissal and harassment including sexual harassment”.

Ireland does not have programmes to promote the financial inclusion of migrants and their families. *Ireland for Finance: The Strategy for the Development of Ireland's International Financial Services Sector to 2025* (2019) does not address the issue. However, following consultation with the Department of Justice in May 2021, Banking and Payments Federation Ireland (BPFI) launched the *Guide to Opening Bank Accounts in Ireland* for protection applicants and those with international protection status, which states that the five main retail banks in the country will accept alternative documentation from protection applicants and refugees to open bank accounts, such as the Irish Residence Permit and the Temporary Residence Certificate (issued to protection applicants).

The Government of Ireland is partially involved in promoting the creation of formal remittance schemes. In the Regional Review for the Global Compact for Safe, Orderly and Regular Migration: Voluntary Contribution – Ireland (2020), it voiced support for international efforts to promote faster, safer and cheaper transfer of remittances and to foster the financial inclusion of migrants. The Government is identifying areas for improvement as of November 2021, working with both government and non-governmental stakeholders, including through the Sustainable Development Goals (SDGs) National Stakeholder Forum. Ireland participated in the 2016 Inaugural United Nations Economic and Social Council Forum on Financing for Development Follow-up, in which the implementation of the Addis Ababa Action Agenda,

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<sup>23</sup> Under the Free Fees Initiative, individuals pay EUR 3,000 annually for higher education.

<sup>24</sup> Anything above a Higher Certificate (Level 6).

including paragraph 40 – which aims to ensure that no remittance corridor requires charges higher than 5 per cent by 2030 – was discussed. However, action at the national level to implement this agenda is yet to be taken.

Law No. 62-006 determining the organization and control of immigration, along with Decree No. 94-652 establishing the new implementing modalities for Law No. 62-006 on the organization and control of immigration (1994), contains no provisions for ethical recruitment.

The country has not introduced measures to facilitate formal transfer of remittances.



## 5

EFFECTIVELY ADDRESSES THE  
MOBILITY DIMENSIONS OF CRISES

## 5.1. Migration governance: Examples of well-developed areas

The Government Task Force on Emergency Planning coordinates and oversees the emergency management policy and activities of all government departments and agencies under their aegis. The Minister for Defence has the mandate and responsibility to coordinate all national-level activity related to the emergency as assigned by the Strategic Emergency Management (SEM): National Structures and Framework (2017).<sup>25</sup> In parallel, the Office of Emergency Planning, under the Department of Defence, provides a key support role to the Government Task Force in coordination and oversight of emergency planning, and supports the Minister for Defence in preparing the annual report on emergency planning for the Government. In the event of a disaster, the National Emergency Coordination Group is activated under the Chair of the relevant lead government department, which then manages the response in line with national guidelines.

The Framework for Major Emergency Management (2006) is Ireland's national disaster risk reduction strategy, and it includes specific provisions for preventing and addressing the displacement impacts of disasters. The Framework is designed for An Garda Síochána, the Health Service Executive and local authorities to coordinate their response to major emergencies. It considers each type of impact in three areas: impact on life, health and residual welfare of a community; economic impact in terms of costs of property/infrastructure damage and recovery costs or loss of economic production; and social/environmental impact, with social impact referring to disruption/displacement of people affected by the event.

Irish citizens are able to voluntarily register directly with embassies and consulates abroad to access services and assistance offered.

Ireland has measures in place to assist nationals living abroad in times of crisis. Consular assistance is available at embassies and consulates, and Irish citizens in countries without consulates can contact the Consular Directorate of Global Irish (Citizen) Services Division of the Department of Foreign Affairs (DFA) for assistance, as outlined in the Government's *Global Ireland: Ireland's Diaspora Strategy 2020–2025* (2020) and the DFA's *TravelWise: Staying Safe and Informed while Travelling Abroad – Ireland's Consular Strategy 2019–2022* (2019). Such consular assistance includes support and engagement between overseas missions and the Irish abroad, work with local organizations that provide vital assistance to Irish citizens in distress abroad, and support measures that protect the dignity and well-being of Irish emigrants abroad, among other services.

## 5.2. Areas with potential for further development

Ireland does not have a strategy with specific measures to assist migrants before, during or post-crisis. The Government's Framework for Major Emergency Management does not mention migrants. *Strategic Emergency Management Guideline 2 – Emergency Communications* (2018) and *Strategic Emergency Management Guideline 3 – Critical Infrastructure Resilience* (2021) offer emergency management strategies in planning and preparedness, emergency response, and recovery, but they do not explicitly mention migrants.

Ireland has communication systems in place to receive information on the evolving nature of crises and on how to access assistance, as outlined in the Department of Defence's *SEM Guideline 2*, although these

<sup>25</sup> The SEM National Structures and Framework identifies 50 different emergency/incident types across a range of lead government departments. It provides the basis for national-level strategic emergency management and the support required should such emergencies occur.

do not take into consideration the specific needs of migrants. Every government department is required to have a communication strategy to share open, timely, and accurate information and to use multiple channels to communicate and engage with the public. The communication is also required to be a two-way process, with channels for public feedback and for public concerns and misinformation to be addressed.

Ireland has strategies recognizing the movement of people linked to environmental degradation and the adverse effects of climate change, but they do not specifically address migration. The Government's *Climate Action Plan 2019 to Tackle Climate Breakdown* (2019), which sets out a road map for tackling the effects of climate change in the country, mentions population displacement and "climate refugees" only with regard to the overarching impacts of climate change. The *National Adaptation Framework: Planning for a Climate Resilient Ireland* (2018) recognizes migration as one of the "indirect effects of extreme weather events on the economy and society", but it does not include strategies to address this.

Ireland does not have a contingency plan in place to manage all types of large-scale population movements in times of crisis. The Department of Defence's *Strategic Emergency Management: National Structure and Framework* (2017) document sets out the national arrangements for the delivery of effective emergency management. It establishes the Department of Justice as the lead agency responsible for managing emergencies abroad that result in mass inward population displacement, but it does not address outgoing or internal large-scale movements.

Ireland has measures in place to make exceptions to immigration procedures only for refugees and protection applicants. It is a party to several international conventions, European Union laws, and human rights mechanisms that inform its immigration procedures for protection applicants, including the European Convention on Human Rights enacted into law by the European Convention on Human Rights Act (2003) and the Dublin Regulation (1990).



## 6

## ENSURES THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

## 6.1. Migration governance: Examples of well-developed areas

Ireland's Border Management Unit (BMU) is tasked with integrated border control and security under the Immigration Service Delivery (ISD) directorship, which is part of the Department of Justice (DOJ). BMU is responsible for immigration controls at Dublin Airport and also offers information related to immigration. The Garda National Immigration Bureau (GNIB) has responsibility for immigration at all other ports of entry into the State.

The DOJ is also responsible for enacting immigration policy. The Minister for Justice has responsibility for immigration matters in Ireland through its two units: ISD and GNIB. ISD provides a single contact point for applications for entry into the State and is responsible for undertaking the administrative functions of the Minister for Justice concerning immigration, visas, international protection and citizenship matters.<sup>26</sup> GNIB, which is part of An Garda Síochána, was established in 2000 and is responsible for national immigration issues – mainly border control, registrations and deportations, and investigations concerning irregular immigration and human trafficking.<sup>27</sup>

Border staff are regularly and specifically trained. All BMU officers complete a four-week training programme upon joining the Unit. Part of this training is delivered by the Irish Human Rights and Equality Commission (IHREC) and focuses on cultural sensitivity, while the Office of the United Nations High Commissioner for Refugees provides specific training on interacting with asylum seekers at the border. Officers also receive customer service training which highlights the importance of dealing with travellers with respect and maintaining dignity during border processes. For example, in 2021, 72 staff received a Modern Slavery and Human Trafficking training from the United Kingdom's Border Force. In addition, 16 of these 72 received human trafficking training from the Garda Human Trafficking Investigation and Co-ordination Unit (HTICU).

Ireland has a mixed online and paper visa application system that grants permits to travellers prior to arrival. Visas and pre-clearance applications are processed through an online system – AVATS – and following this, paper forms need to be submitted to the nearest Visa Office.

*Ireland's Diaspora Strategy 2020–2025* outlines measures to facilitate the reintegration of returning migrants. It states that the Government will monitor barriers to return and adopt measures to remove them where possible; negotiate reciprocal agreements (such as on double taxation and social security) with countries that are home to significant Irish diaspora communities; improve the provision of information on returning to Ireland; and expand mutual recognition and portability of academic and professional qualifications earned overseas. Some key achievements during the first year of implementation include the opening of new embassies and consulates and the appointment of high-profile Cultural Ambassadors in Berlin, London and New York. Furthermore, the National Academic Recognition Information Centre (NARIC) Ireland hosts a database of qualifications and information on almost 1,200 recognized qualifications from over 140 countries to guide and facilitate the work of registrars, admissions officers, international officers, and Career Office staff dealing with foreign applications for entry into education and training programmes in Ireland.

Ireland publishes information about its counter-trafficking activities on an annual basis via the DOJ's annual reports on the trafficking of human beings in the country. It also participates in the Interpol Global Task Force on Human Trafficking; it further attends meetings of the European Union Network of National Rapporteurs or Equivalent Mechanisms on Trafficking in Humans Beings and participates in the Autumn Expert Meeting and Seminar of the European Network on Victims' Rights.

<sup>26</sup> The ISD replaced the Irish Naturalisation and Immigration Service (INIS) in 2021.

<sup>27</sup> Registration of immigration permission for people living in Dublin is operated by the ISD.

Ireland has measures in place to combat labour exploitation that apply to migrants in its Criminal Law (Human Trafficking) Act (2008) and the Criminal Law (Human Trafficking) (Amendment) Act (2013). Under these Acts, courts can impose penalties of up to life imprisonment and unlimited fines on those convicted of trafficking in persons for labour or sexual exploitation. Moreover, the Workplace Relations Commission, an independent statutory body established in 2015, conducts regular inspections of workplaces.

Ireland has measures in place to combat human trafficking. In 2016, the DOJ published the *Second National Action Plan to Prevent and Combat Human Trafficking in Ireland*. An Garda Síochána has a specialized Garda Unit – the HTICU – which is dedicated to conducting investigations into human trafficking. The DOJ also established a Human Trafficking Stakeholders Forum in 2020. A subgroup of the Forum, with non-governmental organizations (NGOs) participating, examined the existing action plan and recommended its update, linking this with the development of a new National Referral Mechanism (NRM). Consultations to inform the development of a new national action plan are ongoing as of November 2021.

Ireland has policies and procedures in place to identify migrants in vulnerable situations and provide them with referral and protection services. The HTICU of An Garda Síochána identifies migrants in vulnerable situations and engages in consultations with several agencies seeking to protect them, including the Health Service Executive, the Workplace Relations Commission, and NGOs such as the Migrant Rights Centre Ireland, the Immigrant Council of Ireland, and Ruhama. The Government also has measures to identify potential victims of trafficking or smuggling at its borders, including providing ongoing training to immigration officers at border control points and increasing the use of new technology and enhanced passenger-screening systems.

As of November 2021, the DOJ has also embarked on a review of the policies in place in relation to the forms of support for victims of trafficking, and has received government approval on a proposal for a revised NRM framework that will make it easier for victims of human trafficking to come forward, to be identified as victims and avail of protection. In October 2020, the IHREC was designated as Ireland's Independent National Rapporteur on the Trafficking of Human Beings.

## 6.2. Areas with potential for further development

Ireland does not have a system to monitor visa overstays, but persons seeking to enter the country are subject to immigration controls at the port of entry, and BMU officers occasionally conduct exit checks on outbound flights. All non-EEA nationals who plan to stay in Ireland for more than three months must register with GNIB,<sup>28</sup> enabling ISD to keep a record of those with permissions to stay in the country. The Registration Office is made aware of people who overstay their registered permission in Ireland, but only if they attempt to renew their registration after their prior permission has expired.

As of November 2021, the DOJ is finalizing a draft proposal for a scheme to regularize undocumented migrants in Ireland, including eligibility considerations and qualifying criteria, in line with the commitments of the Department's *Justice Plan 2021* (2021). Successful applicants will receive an immigration permission and access to the labour market, and they will be able to apply for citizenship by way of naturalization. The scheme will operate under the executive powers of the Minister for Justice on an administrative basis and will be time-limited. Key stakeholders, including NGOs and civil society organizations, were part of the consultation process and presented written submissions in support of the scheme.

Ireland does not have a formal governmental programme or dedicated policy focused on attracting nationals who have migrated from the country. Neither does *Ireland's Diaspora Strategy 2020–2025* nor the website of the Department of Foreign Affairs outline such measures.

Ireland does not have formal cooperation agreements in place with other countries to trace and identify missing migrants within the national territory.

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<sup>28</sup> Residents in Dublin register with the ISD instead of the GNIB.



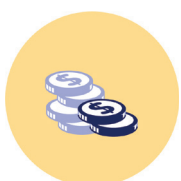
## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

This page summarizes key national COVID-19 policy responses in Ireland from a migration governance perspective. It is based on 12 questions that were added to the standard Migration Governance Indicators (MGI) assessment in Ireland in order to effectively assess national migration governance in the context of the COVID-19 pandemic.



COVID-19 vaccines are available to anyone who registers for an appointment at a national health centre, regardless of migratory status. The Health Service Executive (HSE) has identified migrants with irregular status as a higher risk group for COVID-19 and has a community assessment hub located in Dublin city centre specifically for them. The National Social Inclusion Office has set up a page for the sharing of resources for migrant health in response to COVID-19, which contains extensive resources about the COVID-19 vaccination programme in 36 languages, including Albanian, Arabic, Farsi, Latvian, Romanian, Somali, Tamil and Yoruba.<sup>1</sup>

All migrants have access to COVID-19-related health services, including testing and treatment, under the same conditions as nationals.<sup>2</sup> The Department of Social Protection (DSP) and the HSE do not seek any information from an immigration perspective for persons coming forward for social support or medical attention in the context of COVID-19.<sup>3</sup>



Financial support and fiscal and social security measures offered by the Government in the context of COVID-19 are available to migrants residing in Ireland under the same conditions as nationals. The Government of Ireland launched the COVID-19 Pandemic Unemployment Payment in March 2020 to help sustain employees or self-employed persons who lost their jobs. The scheme is administered by the DSP, and payments are available to migrants, including those not from the European Economic Area (EEA).<sup>4</sup> From 26 March 2020 to 31 August 2020, the Government ran the Temporary COVID-19 Wage Subsidy Scheme, which enabled employees whose employers were impacted by the pandemic to receive support directly from the Government. Non-European Union/EEA employment permit holders were

<sup>1</sup> Reuters, COVID-19 Tracker: Ireland. Available at <https://graphics.reuters.com/world-coronavirus-tracker-and-maps/countries-and-territories/ireland/> (accessed 7 September 2021); Government of Ireland, Health Service Executive, National Social Inclusion Office, Covid-19 sharing resources – Migrant health. Available at [www.hse.ie/eng/about/who/primarycare/socialinclusion/intercultural-health/covid-19/](http://www.hse.ie/eng/about/who/primarycare/socialinclusion/intercultural-health/covid-19/); Houses of the Oireachtas, Vaccination Programme, Dáil Éireann Debate. 20 January 2021. Available at [www.oireachtas.ie/en/debates/question/2021-01-20/507](http://www.oireachtas.ie/en/debates/question/2021-01-20/507).

<sup>2</sup> IOM, IOM Ireland Rapid Policy Survey Report: The Irish Government's Policy Response to COVID-19 from a Migration Governance Lens (March 2020–August 2020). Available at <https://publications.iom.int/books/iom-ireland-rapid-policy-survey-report-the-irish-governments-policy-response-covid-19>.

<sup>3</sup> Government of Ireland, Department of Justice, Information regarding the Justice Sector COVID-19 plans. 13 November 2021. Available at [www.justice.ie/en/JELR/Pages/Information\\_regarding\\_the\\_Justice\\_Sector\\_COVID-19\\_plans](http://www.justice.ie/en/JELR/Pages/Information_regarding_the_Justice_Sector_COVID-19_plans).

<sup>4</sup> Citizens Information, COVID-19 Pandemic Unemployment Payment. 6 December 2021. Available at [www.citizensinformation.ie/en/social\\_welfare/social\\_welfare\\_payments/unemployed\\_people/covid19\\_pandemic\\_unemployment\\_payment.html](http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/unemployed_people/covid19_pandemic_unemployment_payment.html).



## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

also eligible for this.<sup>5</sup> The temporary scheme was replaced by the Employment Wage Subsidy Scheme in August 2020.<sup>6</sup> Further, the Government introduced the COVID-19 enhanced Illness Benefit, through which workers who were told to self-isolate or restrict movement, or who were diagnosed with COVID-19, could apply for a payment of EUR 350 per week. This scheme was valid until the end of June 2021, and non-European Union/EEA migrants were able to access this benefit.<sup>7</sup>



The Government of Ireland has taken steps to ensure that migrant visas, residence permits and work permits do not expire while the pandemic is ongoing. In September 2021, the Minister for Justice announced a final temporary extension of immigration and international protection permissions to 15 January 2022 for all permissions that are due to expire between 21 September 2021 and 15 January 2022, including permissions that have already been extended by the previous seven temporary extensions since March 2020.<sup>8</sup>



Information related to COVID-19 is available in several languages. The International Protection Accommodation Services (IPAS) distributed COVID-19-related newsletters to residents in its centres in six languages – English, Albanian, Arabic, French, Georgian and Somali – between April and October 2020.<sup>9,10</sup> The HSE National Social Inclusion Office has translated information booklets, posters and vaccine materials related to COVID-19 into 26 languages, and has developed videos that provide information on the disease also in various languages.<sup>11</sup> Further, the Immigrant Council of Ireland has a COVID-19 helpline and an online Frequently Asked Questions page for migrants.<sup>12</sup>

<sup>5</sup> Government of Ireland, Office of the Revenue Commissioners, Temporary COVID-19 Wage Subsidy Scheme (TWSS). Available at [www.revenue.ie/en/employing-people/twss/index.aspx](http://www.revenue.ie/en/employing-people/twss/index.aspx) (accessed November 2021).

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<sup>9</sup> IOM, *IOM Ireland Rapid Policy Survey Report: The Irish Government's Policy Response to COVID-19 from a Migration Governance Lens* (March 2020–August 2020). Available at <https://publications.iom.int/books/iom-ireland-rapid-policy-survey-report-the-irish-governments-policy-response-covid-19>.

<sup>10</sup> Government of Ireland, International Protection Accommodation Services (IPAS), COVID-19. 17 September 2021. Available at [www.gov.ie/en/publication/f2a43-information-for-residents-on-covid-19/](http://www.gov.ie/en/publication/f2a43-information-for-residents-on-covid-19/).

<sup>11</sup> Government of Ireland, Health Service Executive, National Social Inclusion Office, HSE multilingual resources and translated information. Available at [www.hse.ie/eng/about/who/primarycare/socialinclusion/about-social-inclusion/translation-hub/multilingual-resources-and-translated-material/](http://www.hse.ie/eng/about/who/primarycare/socialinclusion/about-social-inclusion/translation-hub/multilingual-resources-and-translated-material/) (accessed November 2021).

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## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)



In response to COVID-19, the Department of Foreign Affairs (DFA) advised or assisted over 8,000 people to return safely to Ireland as part of the country's consular response to the COVID-19 crisis. From the outset, priority was given to helping those who are ordinarily resident in Ireland<sup>13</sup> to return home safely – on commercial flights wherever possible, and where not possible, on flights chartered by the European Union and other partners. In a limited number of cases, people returned by ship. In a few exceptional cases – where there were significant groups of Irish citizens, with no alternative options left, and in circumstances that made them particularly vulnerable – the Government chartered aircraft, bringing back 93 Irish people from Peru on 29 March 2020, 68 from India on 4 April 2020, and 95 from Nigeria on 11 May 2020. These flights, which were arranged in close cooperation with partners, facilitated the travel of citizens from other European Union and EEA member States and were supported through the European Union Civil Protection Mechanism.<sup>14,15,16</sup> The DFA also activated a dedicated COVID-19 phonenumber to offer direct support and advice to Irish citizens abroad and their families in Ireland, and it worked closely with the HSE to ensure that all Irish citizens were provided with advice to protect their health on their return to the country.<sup>17</sup>

<sup>13</sup> An individual is ordinarily resident in Ireland if they have been resident in Ireland for three consecutive tax years.

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# ANNEXES

## MiGOF: Migration Governance Framework<sup>29</sup>

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – 3 principles and 3 objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.<sup>30</sup> IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues.

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

<sup>29</sup> IOM Council, Migration Governance Framework, 106th session, C/106/40 (4 November 2015). Available at <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

<sup>30</sup> Migration Governance Framework infosheet (2016). Available at <https://publications.iom.int/books/migration-governance-framework>.

## The MGI process



# 1

### Launch of the MGI process

The first step of the process is to explain what the MGI entails to key government officials, in order to ensure full understanding of the project and complete buy-in.



# 2

### Data collection

The second step of the process is to start the collection and analysis of data, based on about 90 indicators grounded in the 6 dimensions of the MiGOF. A migration governance profile based on the analysis of the findings is then drafted and shared with the government counterparts.



# 3

### Interministerial consultation

The third step of the process is to convene an interministerial consultation where all relevant ministries and other stakeholders discuss the good practices and main areas that could be developed further as identified in the draft migration governance profile, as well as priorities on the way forward. It is also an opportunity for them to comment and provide suggestions on the draft profile.



# 4

### Publication of the report on the Global Migration Data Portal

After the migration governance profiles are finalized and vetted by government counterparts, they are published on the Global Migration Data Portal<sup>31</sup> and uploaded on the IOM Publications Platform.<sup>32</sup>

<sup>31</sup> You can find the profiles at <https://migrationdataportal.org/overviews/mgi#0>.

<sup>32</sup> Please see <https://publications.iom.int/>.





[www.migrationdataportal.org/mgi](http://www.migrationdataportal.org/mgi)

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