



# Asylum and Migration Overview 2024: Ireland

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Department of Justice,  
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**EMN**  
European Migration Network  
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# ASYLUM AND MIGRATION OVERVIEW 2024: IRELAND

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## ABOUT THIS REPORT

This EMN study, compiled according to commonly agreed specifications, provides an overview of migration, asylum trends and policy developments for 2024. The report consists of information gathered primarily for the EU-level synthesis report of the EMN, *Asylum and migration overview 2024*. All reports are available at: [www.ec.europa.eu/home-affairs/networks/european-migration-network-emn/emn-publications/emn-annual-reports\\_en](http://www.ec.europa.eu/home-affairs/networks/european-migration-network-emn/emn-publications/emn-annual-reports_en).

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## ABBREVIATIONS AND IRISH TERMS

|                   |                                                                     |
|-------------------|---------------------------------------------------------------------|
| AMIF              | Asylum, Migration and Integration Fund                              |
| An Garda Síochána | Irish national police force                                         |
| AROPE             | At risk of poverty and social exclusion                             |
| AWS               | Atypical Working Scheme                                             |
| BoTP              | Beneficiary of temporary protection                                 |
| CJEU              | Court of Justice of the European Union                              |
| CSO               | Central Statistics Office                                           |
| CSEP              | Critical Skills Employment Permit                                   |
| Dáil              | Irish parliament, lower house                                       |
| DCEDIY            | Department of Children, Equality, Disability, Integration and Youth |
| DETE              | Department of Enterprise, Trade and Employment                      |
| DRCDG             | Department of Rural and Community Development and the<br>Gaeltacht  |
| ECHR              | European Convention on Human Rights                                 |
| EEA               | European Economic Area                                              |
| EMN               | European Migration Network                                          |
| ESRI              | Economic and Social Research Institute                              |
| EU                | European Union                                                      |
| Garda/Gardaí      | Police officer(s)                                                   |
| GEP               | General Employment Permit                                           |
| HIQA              | Health Information and Quality Authority                            |
| HSE               | Health Service Executive                                            |
| IHREC             | Irish Human Rights and Equality Commission                          |
| IOM               | International Organization for Migration                            |
| IPA               | International protection applicant                                  |
| IPAS              | International Protection Accommodation Services                     |
| IPAT              | International Protection Appeals Tribunal                           |
| IPO               | International Protection Office                                     |
| ISD               | Immigration Service Delivery                                        |
| LGBTI             | Lesbian, gay, bisexual, transgender, intersex                       |
| MAR               | Minimum annual remuneration                                         |
| MRCI              | Migrant Rights Centre Ireland                                       |
| NCP               | National Contact Point                                              |

|            |                                                      |
|------------|------------------------------------------------------|
| NGO        | Non-governmental organisation                        |
| NRM        | National Referral Mechanism                          |
| Oireachtas | Irish parliament, both houses                        |
| OSCE       | Organization for Security and Co-operation in Europe |
| PPSN       | Personal public service number                       |
| SCSIP      | Separated children seeking international protection  |
| SEA        | Special emergency arrangements                       |
| SEP        | Seasonal Employment Permit                           |
| Seanad     | Irish parliament, upper house                        |
| Tánaiste   | Deputy prime minister                                |
| Taoiseach  | Prime minister                                       |
| TD         | Teachta Dála (member of the Dáil)                    |
| Tusla      | Child and Family Agency                              |
| UK         | United Kingdom                                       |
| UN         | United Nations                                       |
| UNHCR      | United Nations High Commissioner for Refugees        |
| WRC        | Workplace Relations Commission                       |

## EXECUTIVE SUMMARY

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The *Asylum and migration overview 2024: Ireland* provides a detailed overview of the key developments in migration and asylum in Ireland in 2022. It includes statistics, significant policy developments and debates, research and notable case law on a range of migration-related topics. It is the 21st report in the series and complements the EMN series of European annual monitoring reports, which give an overview of developments across EMN Member and Observer countries. These reports were previously called *Annual reports on migration and asylum*. In 2024, their name changed to *Asylum and migration overview*.

Ireland's population continued to increase in 2024, with an estimated population of 5.459 million as of April 2025, a 1.5% increase from the previous year. Both immigration and emigration decreased in the year to April 2025, according to the Central Statistics Office (CSO). The drop in immigration partially reflects the tapering off of arrivals from Ukraine, which had been high in previous years following Russia's invasion of Ukraine. Net migration (immigration minus emigration) was, therefore, 59,700 in the year to April 2025, a 25% decrease from the previous year. More detailed statistics from 2024 are provided in thematic chapters throughout the report.

There were also significant policy and legislative developments in 2024, particularly in the areas of labour migration, international protection and integration. Developments also occurred at multiple levels – from national to European to international. The EU's Pact on Migration and Asylum and Ireland's opt-in to the Pact, which happened in 2024, will shape migration policy and law for many years.

This report serves as a comprehensive resource, providing detailed statistics, policy and legislative changes, summaries of recent research and significant case law. It is intended to be a reliable reference for readers seeking to understand these elements for the year of the report.

Chapter 1 introduces the report and its methodology, and documents the structures governing migration and asylum in Ireland.

Chapter 2 provides an overview of migration in 2024, highlighting overarching and international developments such as Ireland's opt-in to the Pact, the Department of Justice Statement of Strategy 2024–2026 and 2024 Action Plan, the establishment of a strategic migration policy working group, and membership of the International Centre for Migration Policy Development. It also gives an overview of migration-related legislation passed in the year, and judicial review of the asylum list. It summarises reports and reviews under UN instruments, such as examination by the

Committee on Economic, Social and Cultural Rights, a mid-term report as part of the Universal Periodic Review, and accession to the optional protocol to the Convention on Persons with Disabilities.

Chapter 3 gives an overview of legal migration in 2024. It presents statistics on residence and employment permits and other legal migration pathways, and summarises developments such as: the major labour migration reform through the new *Employment Permits Act 2024*; the extension of the right to work to the spouses and partners of most employment permit holders; the implementation, deferral and review of the Minimum Annual Remuneration Roadmap; approval for the single permit scheme; and the transitioning of sea fishers onto General Employment Permits. The chapter also summarises research on the labour market impacts of healthcare assistant employment permits, an ODI working paper on the role that immigration policy can play in meeting workforce challenges for housing and retrofitting, the potential of immigrant entrepreneurship, and cross-border workers. Case law related to labour migration is also summarised.

Chapter 4 gives an overview of international protection in 2024. It highlights key statistics on applications, decisions, secondary movement, resettlement and reception. It summarises continued significant developments in relation to international protection, including: severe accommodation shortages in reception accommodation, and legal cases taken in relation to unaccommodated applicants, as well as civil society responses; the Comprehensive Accommodation Strategy, which aimed to address the accommodation shortfall and create a sustainable long-term system; and the first Health Information and Quality Authority inspections of International Protection Accommodation Service centres. It also highlights significant developments in processing, such as faster processing, digitalisation and modernisation of the process, additions to the safe countries list, the pausing of decisions for Syrians, and an updated safe country designation process. Research is also summarised covering: access to justice for international protection applicants who are victims of crime; care deficits in the international protection accommodation system; narratives around protests related to international protection; narratives and assumptions about integration and resettlement; anti-refugee attitudes in classrooms; and an analysis of carcerality (related to imprisonment) and what the authors of the article conceptualise as approved gender violence in relation to Direct Provision in Ireland. A significant number of legal cases are also summarised relating to international protection.

Chapter 5 covers the response to arrivals from Ukraine. It includes statistics on arrivals, accommodation, education and employment. It also covers developments such as the extension of immigration permissions for beneficiaries of temporary protection, and significant changes to accommodation and income supports. Research summarised includes an EMN/ESRI overview of the application of the Temporary Protection



Directive in Ireland, a survey of Ukrainians in Ireland, a report on the challenges of receiving and integrating Ukrainian refugees, and a report on the experiences of beneficiaries of temporary protection in state accommodation.

Chapter 6 provides an overview of statistics and developments relating to unaccompanied minors and other vulnerable groups, including capacity challenges in Tusla, and Tusla's corporate plan, the pausing of vulnerability assessments, and a review of age assessments guidelines. Research is summarised, including a scoping review of migrant health research in Ireland, an article on peer support for health and social care with migrant health as one of the focus sectors, and a chapter on interpretation in legal encounters with minors.

Chapter 7 relates to citizenship and statelessness, covering statistics on both, as well as one development on changes to the process of citizenship revocation for naturalised citizens. It also summarises case law relating to citizenship.

Chapter 8 provides an overview of integration, presenting selected Zaragoza indicators on integration. For more information, breakdown and all Zaragoza indicators, please see the *Monitoring report on integration 2024*, published by the ESRI. It also covers significant developments in integration in 2024, including the development or expansion of local integration initiatives, such as local authority integration teams, community integration forums, the community connection project, and the Community Recognition Fund. It also summarises actions under the National Action Plan Against Racism, the passing of hate crime legislation, and the second phase of consultation for a new integration strategy.

Trafficking is covered in Chapter 9, with relevant statistics and developments presented there, including the *Criminal Law (Sexual Offences and Human Trafficking) Act 2024*, and various reports and evaluations. A piece of research on systems of identification for victims of human trafficking is summarised.

Chapter 10 concludes the report, and relates to irregular migration, visas, borders and return. Statistics on refusals of leave to land, return and visas are presented. Developments covered include increased carrier sanctions, a north–south border policing strategy, and changes to visa requirements. The research section includes summaries of research on non-EU nationals in irregular employment in Ireland, cross-border workers on the island of Ireland, Brazilian migration to Ireland and the effects of the study visa, and a country brief on irregular migration. Summaries of legal cases in this chapter cover deportation, regularisation and refusal of leave to land.

The report includes an annex that gives a detailed overview of migration and asylum governance structures, and the legal framework relating to migration in Ireland. A second annex provides a list of EMN and EMN Ireland publications in 2024.

## CHAPTER 1

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### Introduction

Asylum and migration overview 2024: Ireland is the 21st in a series of annual reports on developments in the fields of migration and asylum in Ireland. The series provides an annual overview of migration and asylum trends, and policy developments in Ireland. These reports were previously called *Annual reports on migration and asylum*. In 2024, their name changed to *Asylum and migration overviews*.

In accordance with Council Decision 2008/381/EC establishing the EMN, the EMN National Contact Points (NCPs) in each EU Member State (except Denmark) are tasked with providing an annual report detailing the migration and asylum situation in their Member State, including policy developments and statistical data. EMN Observer Countries may also produce an annual report.<sup>1</sup> NCPs gather information according to a common template and a comparative EMN synthesis report of developments in the EMN Member and observer countries is compiled, which places the main findings from the templates within an EU perspective.<sup>2</sup>

NCPs also publish national-level reports. The purpose of the national-level reports is to provide an insight into the most significant political and legislative developments at state level, practical developments as well as public debates in migration and asylum.

The *EMN asylum and migration overview 2024: Ireland* covers the period 1 January 2024 to 31 December 2024.

#### 1.1 METHODOLOGY

As in previous years, NCPs filled in a common questionnaire to inform the EU-level *Asylum and migration overview 2024*. NCPs were asked to report on key developments (legislative policy and, to a limited extent, practice) during 2024. NCPs then adapted these questionnaires to develop national-level reports. EMN Ireland, therefore, extended the original submission in that it expanded its definition of developments. In this report, we include:

- all legislative developments;
- major institutional developments;
- major debates in parliament;

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1 The Observer Countries are: Albania, Armenia, Georgia, Moldova, Montenegro, North Macedonia, Norway, Serbia and Ukraine.

2 See European Migration Network (2025). 'Asylum and migration overview 2024', [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-publications/emn-annual-reports/european-migration-network-asylum-and-migration-overview-amn-2024\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-publications/emn-annual-reports/european-migration-network-asylum-and-migration-overview-amn-2024_en).

- government statements;
- media and civil society debates;
- items of scale that are discussed outside a particular sector and as such are considered newsworthy while not being within the Dáil remit;
- academic research; and
- case law.

Statistics, where available, were taken from published first-source material, such as government or other annual reports, and statistics from the Central Statistics Office (CSO) and Eurostat. Where noted, and where it was not possible to access original statistical sources, data has been taken from secondary sources. Where possible, verified data has been used; where provisional data has been included, this has been highlighted.

The report is based on extensive desk research. To provide a comprehensive and reflective overview of national legislative and other debates, the following stakeholders were contacted with regard to input on a draft report:

- An Garda Síochána;
- Department of Enterprise, Tourism and Employment (DETE);
- Department of Justice, Home Affairs and Migration;
- Department of Education and Youth;
- Department of Foreign Affairs and Trade;
- Department of Further and Higher Education, Research, Innovation and Science;
- Department of Social Protection;
- Irish Human Rights and Equality Commission (IHREC);
- International Protection Office (IPO);
- International Protection Appeals Tribunal (IPAT);
- Local Government Management Agency;
- Tusla, the Child and Family Agency;
- Irish Refugee Council;
- Nasc;
- International Organization for Migration (IOM); and
- United Nations High Commissioner for Refugees (UNHCR) Ireland.<sup>3</sup>

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3 Note that some Department names and functions changed in 2025. Department names are used here based on the accurate name at the time they were contacted and responded. Elsewhere in the report, they are used based on the accurate name at the time of the development, or as of 31 December 2024.

All definitions of technical terms or concepts used in the study are as per the *EMN migration and asylum glossary 9.0*.<sup>4</sup>

## 1.2 STRUCTURE OF MIGRATION AND ASYLUM POLICY

Figures 1.1 and 1.2 provide an outline of the governance structure for migration and asylum policy as of 31 December 2024. For more information on the respective roles within migration and asylum policy in Ireland and the legislative framework, see Annex A. Note that following elections in November 2024, many of these government departments and responsibilities changed. However, as these changes took place in 2025, they will be reported in the 2025 version of this report.

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4 See [www.emn.ie](http://www.emn.ie) and [www.home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary\\_en](http://www.home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary_en).

**FIGURE 1.1 GOVERNMENT DEPARTMENTS IN IRELAND WITH RESPONSIBILITY FOR ASYLUM AND MIGRATION, 2024**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Department of Foreign Affairs</b></p> <p><b>Minister of Foreign Affairs</b></p> <p>Micheál Martin</p> <p>Network of diplomatic and consular missions overseas. Limited role in issuance of visas overseas.</p> <p><b>Minister of State for Overseas Development Aid and Diaspora</b></p> <p>Seán Fleming</p> <p>Network of diplomatic and consular missions overseas. Limited role in issuance of visas overseas under guidance from Department of Justice.</p> | <p><b>Department of Justice</b></p> <p><b>Minister for Justice</b></p> <p>Helen McEntee</p> <p>The Minister for Justice has responsibility for immigration matters in the State including residence permissions, international protection, visas, border control and repatriation/removal.</p>                                                                                                                                                                                                                                                                |
| <p><b>Department of Enterprise, Trade and Employment (DETE)</b></p> <p><b>Minister for Enterprise, Trade and Employment</b></p> <p>Simon Coveney</p> <p><b>Minister of State for Business, Employment and Retail</b></p> <p>Neale Richmond</p> <p>DETE's Economic Migration Policy Unit and Employment Permits Section administer and deliver on the employment permit system, which allows Ireland to fill labour market needs by recruiting non-nationals.</p>      | <p><b>Department of Children, Equality, Integration, Disability and Youth (DCEDIY)</b></p> <p><b>Minister for Children, Disability, Equality, and Integration and Youth</b></p> <p>Roderic O’Gorman</p> <p>Policy responsibility for children, including unaccompanied minors arriving in the State who are in the care of Tusla. The Minister for Children, Disability, Equality and Integration also has responsibility for integration, resettlement and the provision of accommodation and other supports to applicants for international protection.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Department of Rural and Community Development</b></p> <p><b>Minister of State with special responsibility for Integration</b></p> <p>Joe O’Brien</p>                                                                                                                                                                                                                                                                                                                                                                                                    |

**FIGURE 1.2 INSTITUTIONS IN IRELAND WITH RESPONSIBILITY FOR ASYLUM AND MIGRATION ON 31 DECEMBER 2024**



## CHAPTER 2

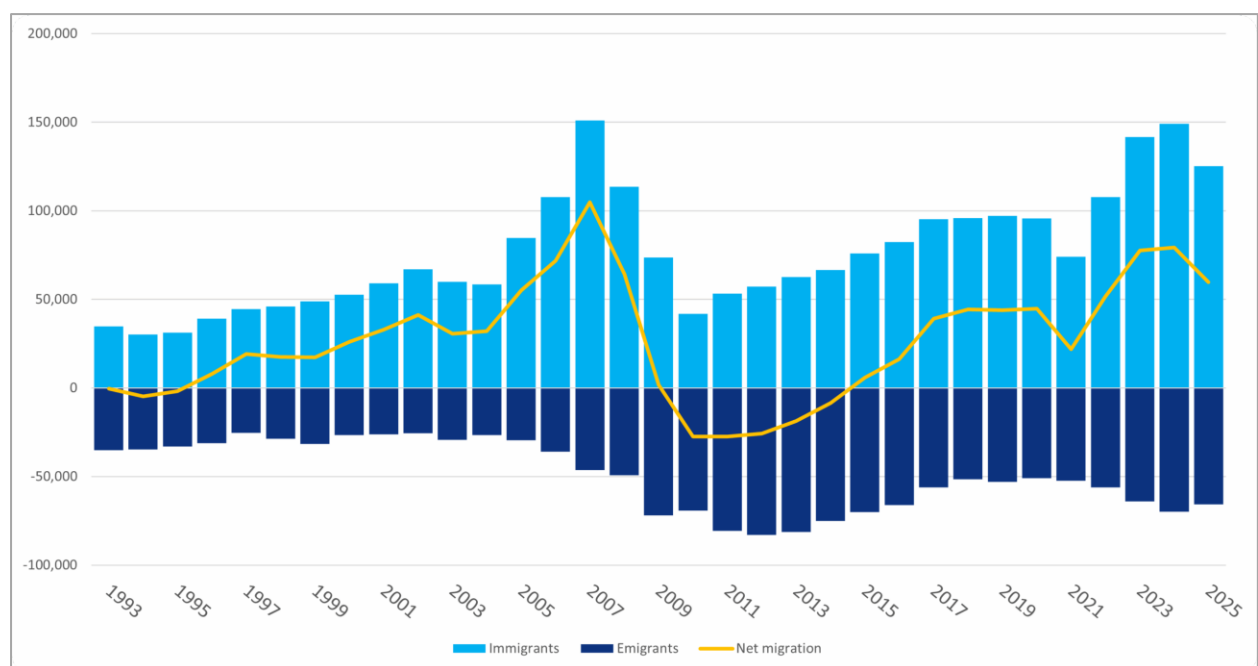
### Migration overview

#### 2.1 STATISTICAL OVERVIEW

The Central Statistics Office (CSO) estimated that the population of Ireland was 5.459 million as of April 2025, a 1.5% increase from the previous year. Figure 2.1 shows the component of this increase that relates to migration.

The CSO estimates that 125,300 people immigrated into Ireland in the 12 months to April 2025, a 16% decrease from the previous 12 months. This decrease likely reflects the decreased number of arrivals from Ukraine in the year to April 2025. The CSO estimates that emigration also decreased slightly, with 65,600 people departing from the State, a decrease of 6.2% compared with the same period in 2024. This implies a net migration (immigration minus emigration) of 59,700, a 25% decrease from the previous year.

**FIGURE 2.1 GROSS AND NET MIGRATION IN IRELAND 1993–2025 (APRIL–APRIL)**



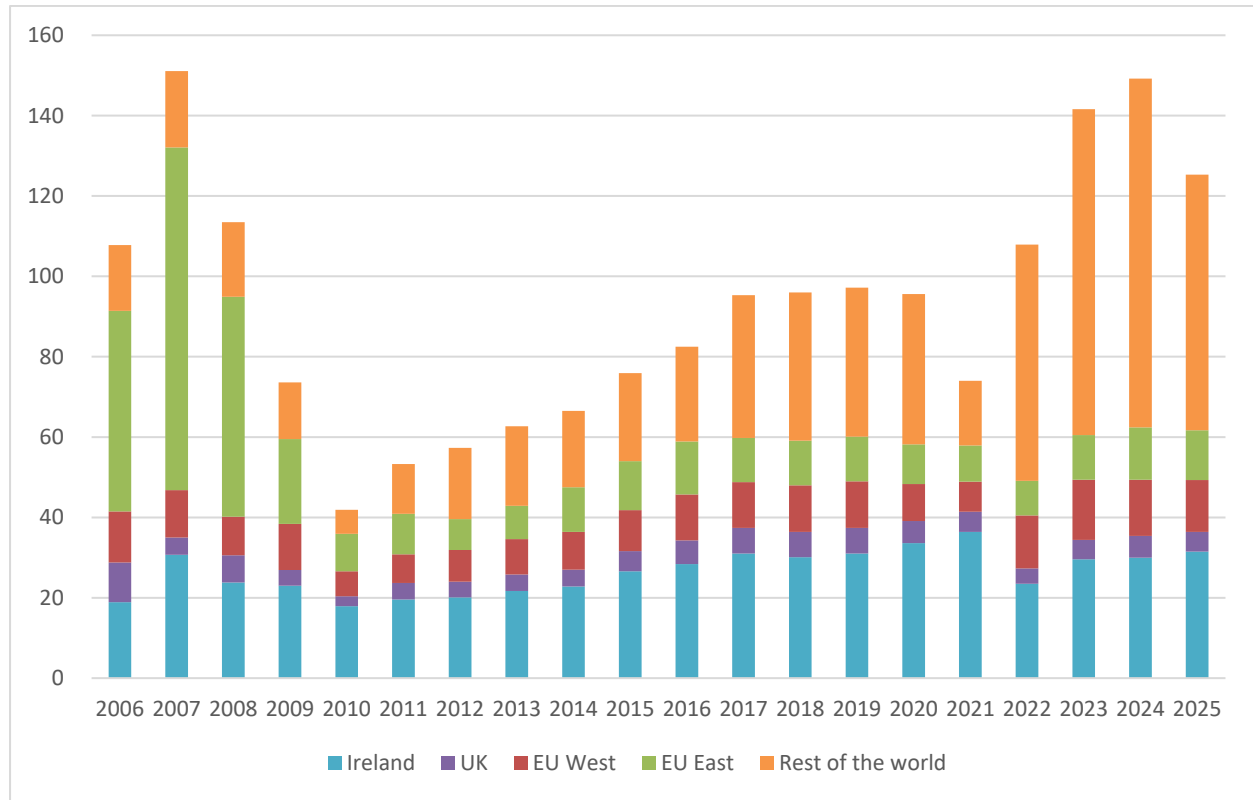
Source: CSO (2025). 'Population and migration estimates, April 2025', extracted 2 September 2025.

Figure 2.2 shows the countries of citizenship of immigrants since 2006, based on CSO estimates. It shows that similar to previous years, around 25% of immigrants were returning Irish citizens. As has been the case, the majority of the remainder come from outside the EU and the UK (51% of the total), although it is in this category that the majority of the decrease has been experienced, with other citizenship groups



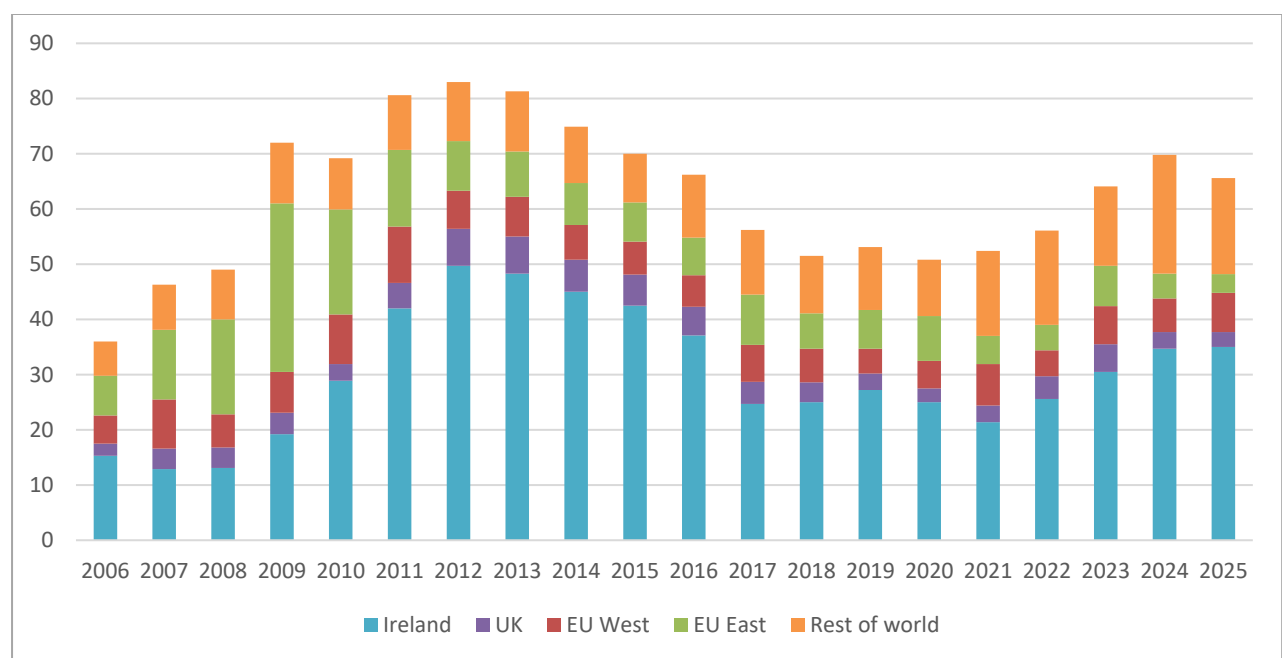
remaining quite steady. This also likely reflects the falling number of arrivals from Ukraine. EU immigrants are now almost evenly split between the EU East (countries that acceded post-2004) and EU West categories, a significant change since before the recession.

**FIGURE 2.2 ESTIMATED IMMIGRATION TO IRELAND, 2006–2025 (THOUSANDS)**



Source: CSO (2025). 'PEA24 – Estimated immigration (persons in April)', extracted 4 September 2025.

Figure 2.3 shows the countries of citizenship of emigrants since 2006, based on CSO estimates. Over half (53%) of emigrants were Irish, a slight increase on the proportion in previous years. The decrease in emigration compared with the previous year is largely due to a drop in emigration of citizenships from outside the EU or UK, which decreased by 19% compared with the previous 12 months.

**FIGURE 2.3 ESTIMATED EMIGRATION FROM IRELAND, 2006–2025 (THOUSANDS)**

Source: CSO (2025). 'PEA23 – Estimated emigration (persons in April)', extracted 4 September 2025.

## 2.2 OVERARCHING DEVELOPMENTS

This section presents developments that are not directly migration-related but that impact migration, or that are migration-related but have overarching impacts with relevance beyond a single category of migration.

### 2.2.1 Pact opt-in

While Ireland is not automatically bound to participate in EU proposals in the area of freedom, security and justice, it may decide to take part in some or all measures. In June 2024, both houses of the Oireachtas voted to opt into the EU Pact on Migration and Asylum. Following this, Ireland notified the Commission of its wish to be bound by seven of the legal acts agreed under the Pact on Migration and Asylum. These are:

- Reception Conditions Directive
- Qualification Regulation
- Asylum Procedure Regulation
- Resettlement Regulation
- Asylum and Migration Management Regulation
- Eurodac Regulation
- Crisis and Force Majeure Regulation.

The Commission decision confirming Ireland's participation in the Pact was published on 31 July 2024.<sup>5</sup> While Ireland cannot opt in to aspects of the Pact that are based on the Schengen system, Ireland has indicated that it will appropriately align its legislation with those measures.<sup>6</sup> The Minister for Justice has indicated that all of the measures will be implemented through a single piece of legislation, the General Scheme of which was published in April 2025.<sup>7</sup>

### 2.2.2 Department of Justice Statement of Strategy 2024–2026 and 2024 Action Plan

In July 2024, the Department of Justice published its Statement of Strategy for 2024–2026, and its 2024 Action Plan. The Statement of Strategy followed an extensive review and consultation process, which included submissions from government departments, elected officials and civil society organisations, as well as an open forum with state agencies and civil society, staff consultation and a staff survey, and a public consultation.<sup>8</sup> One of the five goals under the strategy is to deliver a fair immigration system. The objectives under this goal are:

- 'Digital first' approach to immigration services;
- Immigration and protection decisions delivered in a timely manner;
- Immigration customers supported and have their rights upheld;
- Modern border control systems, which support legal immigration and prevent irregular immigration;
- Responding humanely to humanitarian crises; and
- Work with other Departments to develop a strategic migration policy that proactively meets the needs of society and the economy.

The 2024 action plan provides more details of concrete steps to be taken in 2024 to achieve these objectives. Actions included:

- Continued implementation of the modernisation strategy;
- Maintenance or increase of specific processing rates (including an increase in International Protection Office (IPO) output by 50%) (see Section 4.1);
- International protection actions, including ensuring that accelerated cases receive a first-instance decision within three months, expanding the quality assurance process for the IPO, completing the review of safe countries, increasing returns, making more effective use of Dublin Regulation and inadmissible returns, and

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5 European Commission. 'Ireland will participate in the EU Pact on Migration and Asylum', last accessed 12 February 2025.

6 Correspondence with the Department of Justice, February 2025.

7 *General Scheme of the International Protection Bill 2025*.

8 See Department of Justice (2024). 'Statement of Strategy 2024–2026'.

consideration of further visa restrictions on countries with a high number of international protection applications (see Section 4.2);

- Consideration of ways to strengthen the removal process ahead of introduction of the EU Migration and Asylum Pact (see Section 10.2);
- Complete review of carrier liability provisions and legislative amendment (see Section 10.2.1);
- Ensuring that all appropriate applications not yet digitised can be completed online;
- Progressing the transfer of registration and border management functions to Immigration Service Delivery (ISD) to free up Gardaí for other immigration enforcement work;
- Continuing to work closely with UK authorities to protect the Common Travel Area (see Section 10.2.2);
- Developing a strategic migration policy in collaboration with other departments; and
- Taking steps to opt into the Pact on Migration and Asylum and to implement the recast Single Permit Directive (see Section 3.2.4).

### 2.2.3 Strategic migration policy working group

In December 2024, a Strategic Migration Policy Group was established, led by the Department of Justice. The objective of the group is to develop a whole-of-government approach to migration to address Ireland's demographic, economic and social policy needs. Different departments with migration-related competences are represented on the group. The group will support the development of a National Migration and Integration Strategy, as committed to in the Programme for Government 2025.<sup>9</sup>

### 2.2.4 International Centre for Migration Policy Development membership

In July 2024, Ireland became a member of the International Centre for Migration Policy Development, the international organisation focused on the development and implementation of long-term strategies to manage migration for its members.<sup>10</sup> This membership allows Ireland to draw on the centre's expertise on a range of migration

9 Department of Justice (2025). 'Response to parliamentary question 24890/25', available at <https://www.oireachtas.ie/en/debates/question/2025-05-14/147/>; correspondence with Department of Justice, Home Affairs, and Migration, October 2025.

10 Department of Justice (2024). 'Minister McEntee welcomes Ireland's membership of the International Centre for Migration Policy Development', press release, 31 July, last accessed 18 February 2025.

issues while also providing opportunities for discussion and sharing of insights and perspectives with other Member States.<sup>11</sup>

## 2.3 LEGISLATION

*Court, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024* (see Sections 7.2.1 and 10.2.1)

*Criminal Justice (Hate Offences) Act 2024* (see Section 8.2.3)

*Criminal Law (Sexual Offences and Human Trafficking) Act 2024* (No. 28 of 2024) (see Section 9.2.1)

*Employment Permits (Amendment) Regulations 2024* [S.I. No. 8/2024]

*Employment Permits (Amendment) (No. 2) Regulations 2024* [S.I. No. 12/2024]

*Employment Permits Act 2024* (No. 17 of 2024) (see Section 3.2.1)

*Employment Permits Regulations 2024* [S.I. No. 444/2024] (see Section 3.2.1)

*Employment Permits (Amendment) (No. 3) Regulations 2024* [S.I. No. 328/2024] (see Section 3.2.6)

*Employment Permits (Amendment) (No. 4) Regulations* [S.I. No. 598/2024] (see Section 3.2.6)

*Employment Permits (Amendment) (No. 5) Regulations 2024* [S.I. No. 733/2024] (see Section 3.2.3)

*Immigration Act 2003 (Carrier Liability) Regulations 2024* (see Section 10.2.1).

## 2.4 COURTS: JUDICIAL REVIEW

In 2024, 736 applications for judicial review were made on the ‘asylum’ list to the High Court. This is a decrease of 6% from the previous year, although it should be noted that the previous year had seen more than double the number of applications compared with 2022.<sup>12</sup> This list covers asylum-related cases as well as judicial review of ministerial decisions in other immigration-related matters, including visas, EU free movement rights and citizenship.

In 2024, 371 judicial review cases on the asylum list were resolved by the High Court, a slight decrease on the 406 cases resolved in 2023. Five cases were resolved out of court, and the remainder in court. In total, 1,113 orders were made in relation to cases on the asylum list, of which over half were granted.

<sup>11</sup> Correspondence with Department of Justice, February 2025.

<sup>12</sup> Courts Service (2025). *Courts Service annual report 2024*, Dublin: Courts Service.

The average length of proceedings for first-instance courts for cases on the asylum list was 224 days in 2024, compared to 203 days in 2023.

The Court of Appeal received 12 appeals from the asylum list in 2024, and resolved 14 cases in court. Waiting times decreased for the pre-leave application stage on the asylum list in 2024, with a waiting time of six weeks compared to nine weeks in 2023. This remains higher than the two week waiting time in 2022.

## 2.5 UNITED NATIONS AND OTHER INTERNATIONAL DEVELOPMENTS

### 2.5.1 Committee on Economic, Social and Cultural Rights

Ireland submitted its fourth periodic report under the International Covenant on Economic, Social and Cultural Rights, due in 2020, in 2021.<sup>13</sup> The Irish Human Rights and Equality Commission (IHREC) published its submission to the committee in January 2024, highlighting several issues faced by migrants in accessing these rights.<sup>14</sup> UNHCR Ireland also published its submission, which raised issues mainly in relation to unaccommodated international protection applicants and reliance on emergency accommodation in the asylum reception system.<sup>15</sup>

Ireland underwent its fourth periodic examination in February 2024, after which the Committee on Economic, Social and Cultural Rights published its concluding observations.<sup>16</sup> The committee recognised the Migrant Integration Strategy and the Roadmap for Social Inclusion as positives, as well as other frameworks and policies. Among others, its principal concerns and recommendations included the following.

- Ireland has not yet fully transposed the International Covenant on Economic, Social and Cultural Rights into national law and has not indicated plans to do so.
- Not all rights in the covenant are under the mandate of the national human rights institution – IHREC.
- Civil society faces constraints in engaging in political advocacy.
- Data disaggregated by prohibited grounds of discrimination is not systematically collected. On this it recommends expediting the adoption of the national equality data strategy, ensuring adequate resourcing and setting up independent monitoring mechanisms for its effective implementation.

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13 UN Committee on Economic, Social and Cultural Rights (2024). Fourth periodic report submitted by Ireland under articles 16 and 17 of the Covenant, due in 2020, E/C.12/IRL/4.

14 IHREC (2024). Ireland and the International Covenant on Economic, Social and Cultural Rights: Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report.

15 UNHCR Ireland (2024). 'UNHCR Ireland submission to the Committee on Economic, Social and Cultural Rights (CESCR)'.

16 UN Committee on Economic, Social and Cultural Rights (2024). *Concluding observations on the fourth periodic report of Ireland*, E/C.12/IRL/CO/4.

- There is no comprehensive anti-discrimination legislation, and socioeconomic, racial and gender inequalities are prevalent. On this it recommends adopting comprehensive anti-discrimination legislation, including socioeconomic status as a prohibited ground of discrimination. It also recommends that the government takes all necessary measures to combat discrimination, racism and inequality faced by certain groups, including persons of African descent, Traveller and Roma communities, and migrants.
- Many workers are in precarious work with poor working conditions, and the most marginalised groups are disproportionately affected by unemployment. On this it recommends addressing the root causes of unemployment, facilitating access to the labour market for migrants, refugees, and asylum seekers, and ensuring that migrant workers (including domestic workers and live-in carers) enjoy equal rights with other workers.
- Social security benefits are inadequate and certain conditions are attached to social security (including the Habitual Residence Condition) that deny access to certain disadvantaged groups, including migrants. On this it recommends establishing a social protection floor, and reviewing the conditions attached.
- There are high rates of risk of poverty among some parts of the population. On this it recommends targeted support for groups disproportionately affected by poverty, including migrants.
- There is a persistent gap between housing supply and demand, and an increasing cost of rental housing, which disproportionately affects the most disadvantaged. Homelessness persists. On this, it recommends adopting all necessary measures to address the housing deficit.
- There is a lack of access to culturally appropriate sexual and reproductive health services for women from minority groups and migrant women.

### 2.5.2 Universal Periodic Review mid-term report

In 2024, Ireland submitted a mid-term report to the UN Human Rights Council ahead of its fourth review in 2026, as part of the Universal Periodic Review process.<sup>17</sup> IHREC also submitted a mid-term report to the Council.<sup>18</sup> In the previous review, in 2021, Ireland received 260 recommendations.<sup>19</sup>

In the mid-term report, the Government provided information on various initiatives that it had taken to promote human rights since the last review. These included the National Action Plan Against Racism (see Section 8.2.2), the Migrant Integration Strategy (see Section 8.2.5), the National Traveller and Roma Inclusion Strategy and

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17 IHREC (2024). *Mid-term report to the UN Human Rights Council 2024: Universal Periodic Review*.

18 IHREC (2024). *Mid-term report to the UN Human Rights Council 2024: Universal Periodic Review*.

19 IHREC (2024). *Mid-term report to the UN Human Rights Council 2024: Universal Periodic Review*.

the National Action Plan on Human Trafficking. They also provided details on legislative developments, including hate crime legislation (see Section 8.2.3).

IHREC commended the State for preparing a mid-term report but noted the limitations of an approach that focuses on policy and legislative outputs rather than capturing the experience of individuals and communities. Among other things, IHREC recommends:

- multi-annual allocation to IHREC at a sufficient level to enable them to discharge their statutory functions;
- a comprehensive audit of legislation to assess alignment with international treaties and the steps required for full domestic incorporation of international treaties, and the ratification of optional protocols;
- mandatory human rights due diligence legislation;
- addressing tax structures that are impacting human rights in other territories, and carrying out independent, regular assessment of the impact of policies on cross-border tax abuse;
- redoubling commitment to ending Direct Provision and establishing a sustainable and not-for-profit system for international protection accommodation;
- extending independent monitoring role of the Health Information and Quality Authority to emergency and transit international protection accommodation centres to ensure full compliance with national standards;
- immediately reversing the policy of not offering emergency accommodation to international protection applicants arriving in Ireland, in accordance with its obligations under domestic and international law; and
- placing procedural safeguards for immigration detainees on a statutory footing including access to legal representation, medical examination and an effective legal remedy.

### **2.5.3 Accession to optional protocol to the Convention on Persons with Disabilities**

In November 2024, Ireland completed the formal accession process for the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. This optional protocol allows for a communication procedure that enables people to bring to the UN committee alleged breaches of rights under the Convention, on the condition that all domestic remedies have been exhausted. It also enables the committee to undertake inquiries if they receive reliable evidence of grave or systemic violations of the Convention.<sup>20</sup> IHREC, as the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities, welcomed the accession, saying that not acceding to the protocol had left Ireland an international

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20 See DCEDIY (2024). 'Optional Protocol to the Convention on Persons with Disabilities to come into force in Ireland on 30 November 2024', press release, 6 November.



outlier, and that disability was the number one reason that people contact IHREC regarding their rights.<sup>21</sup> They also sent correspondence to the responsible minister in December 2024 in which they welcomed the accession, but noted that there is much to be done for full implementation of the Convention.<sup>22</sup>

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- 21 IHREC (2024). 'Accession will establish a mechanism for people with disabilities to make individual complaints to the UN to vindicate rights', press release, 8 October, available at [www.ihrec.ie](http://www.ihrec.ie).
- 22 IHREC (2024). 'Re: Accession to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities', letter to Minister for Children, Equality, Disability, Integration and Youth, 5 December.

## CHAPTER 3

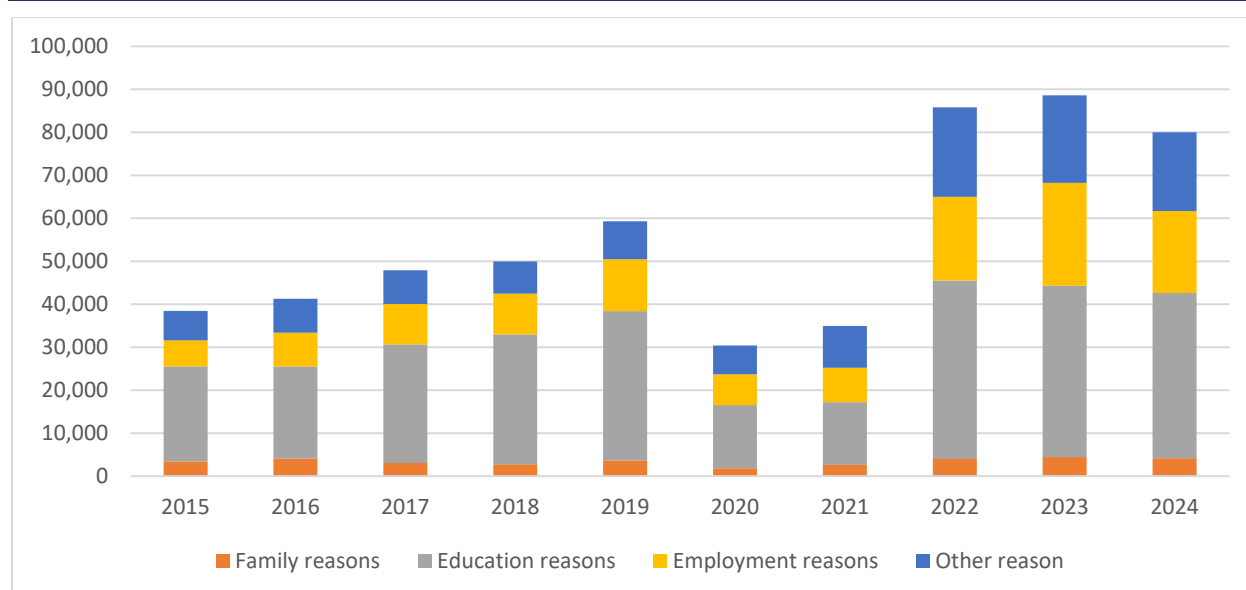
### Legal migration

#### 3.1 STATISTICS

##### 3.1.1 Residence

Figure 3.1 shows the number of first-residence permits issued in Ireland, by year from 2015 and type of permit.<sup>23</sup> It shows a 10% decrease in the number of permits issued in 2024, compared to 2023. While all categories decreased, the largest absolute decrease was in permits issued for employment reasons. Similar to previous years, education was the most common reason for issuing a residence permit (48%), followed by employment (24%), other reasons (23%), and family (5%). According to Eurostat data, 21% of permits issued for other reasons relate to international protection or humanitarian status, but the majority are unspecified.<sup>24</sup> Note that registrations for temporary protection are not included in these statistics (see Chapter 5).<sup>25</sup>

**FIGURE 3.1 FIRST-RESIDENCE PERMITS IN IRELAND BY REASON, 2015–2024**



Source: Eurostat (2025). 'First permits by reason, length of validity and citizenship (migr\_resfirst)', extracted 5 September 2025.

As in previous years, the most common nationality to be granted a first permit in 2024 was Indian (28%), followed by Brazilian (13%), Chinese (8%) and US American (6%).

23 In Ireland, these are usually referred to as residence permissions. However, Eurostat data refers to residence permits so this is the term used throughout this report.

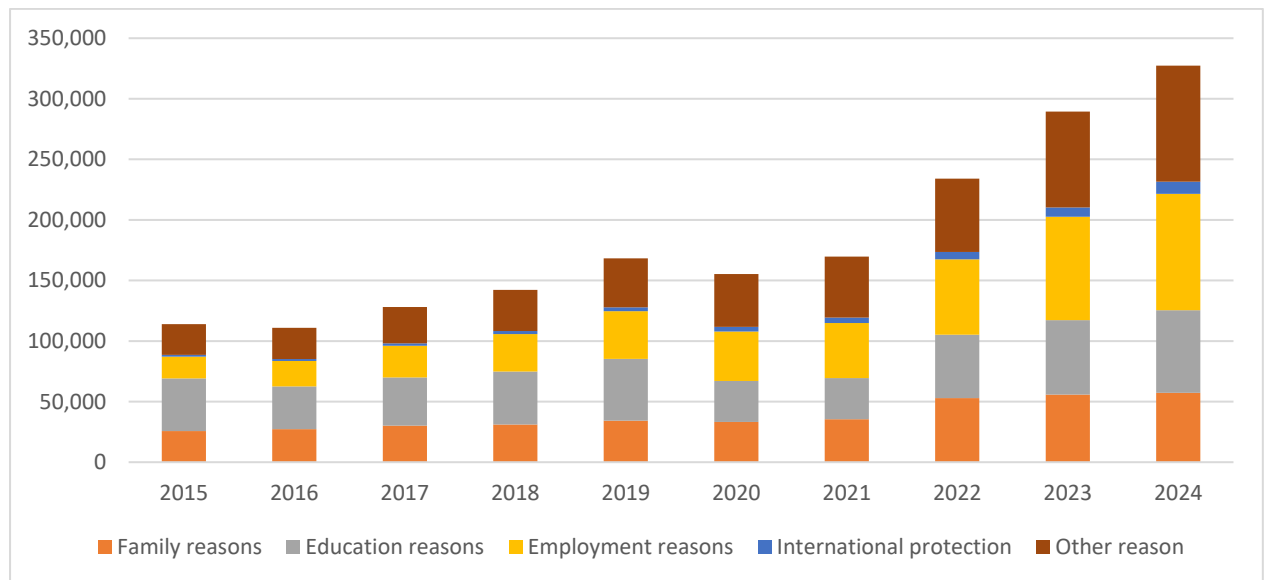
24 Eurostat (2025). 'First permits issued for other reasons by reason, length of validity and citizenship (migr\_resoth)', extracted 5 September 2025.

25 Correspondence with the Department of Justice, October 2024.

Across the EU, 3.5 million first-residence permits were issued in 2024, an 8% decrease from 2023. First-residence permits in Ireland represented 2.3% of first-residence permits issued in the EU, a drop from 2023. First permits in Ireland in 2024 represented 7% of the EU permits granted for education reasons, 1.7% for employment reasons, and just 0.4% for family reasons, a pattern that is similar to previous years.

Figure 3.2 shows the number and reason for all valid residence permits in Ireland as of 31 December each year. In contrast to first permits, it shows a 13% increase in all permits valid at the end of the year compared to 2023. The most common reasons for a permit in 2024 were employment and other reasons (both 29%), followed by education (21%), family (17%) and international protection (3%).

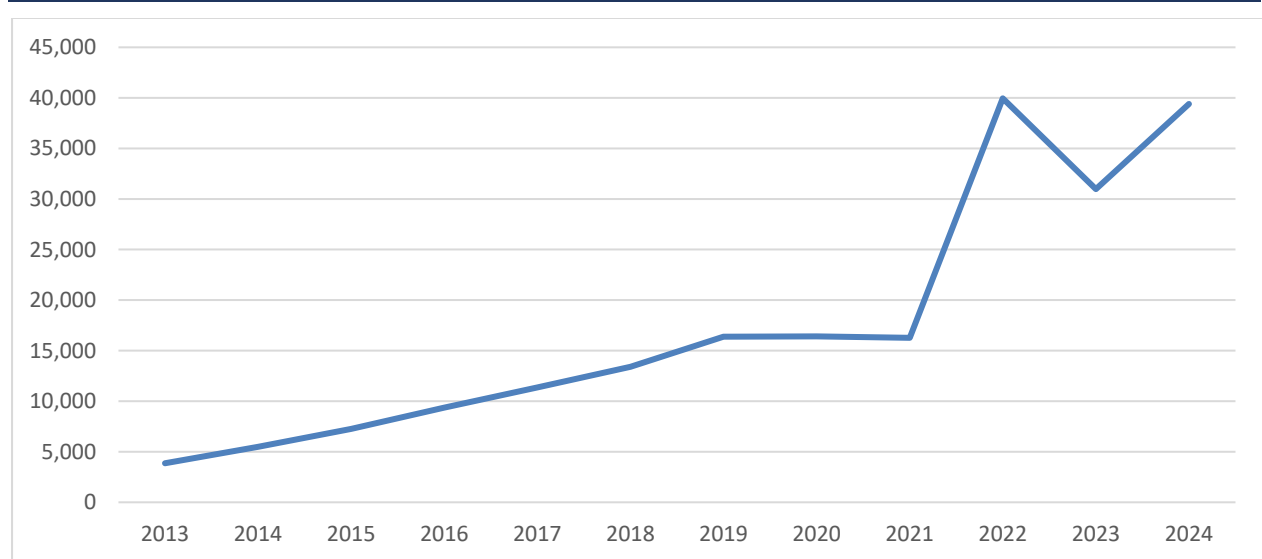
**FIGURE 3.2 ALL VALID RESIDENCE PERMITS IN IRELAND AS OF 31 DECEMBER, 2015–2024**



Source: Eurostat (2025). 'All valid permits by reason, length of validity and citizenship on 31 December of each year (migr\_resvalid)', extracted 5 September 2025.

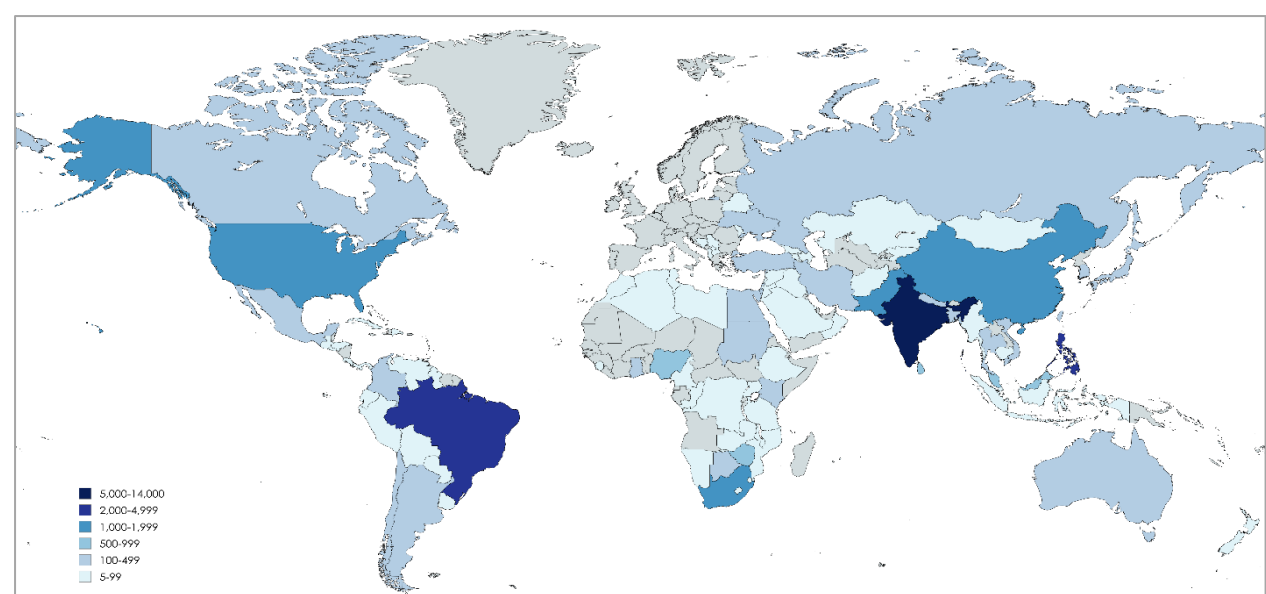
### 3.1.2 Employment permits

A total of 39,390 employment permits were issued in 2024, a 27% increase from 2023, and only slightly fewer than the peak number issued in 2022, as shown in Figure 3.3.

**FIGURE 3.3 EMPLOYMENT PERMIT GRANTS, 2013–2024**

Source: DETE (2025). 'Employment permit statistics'.

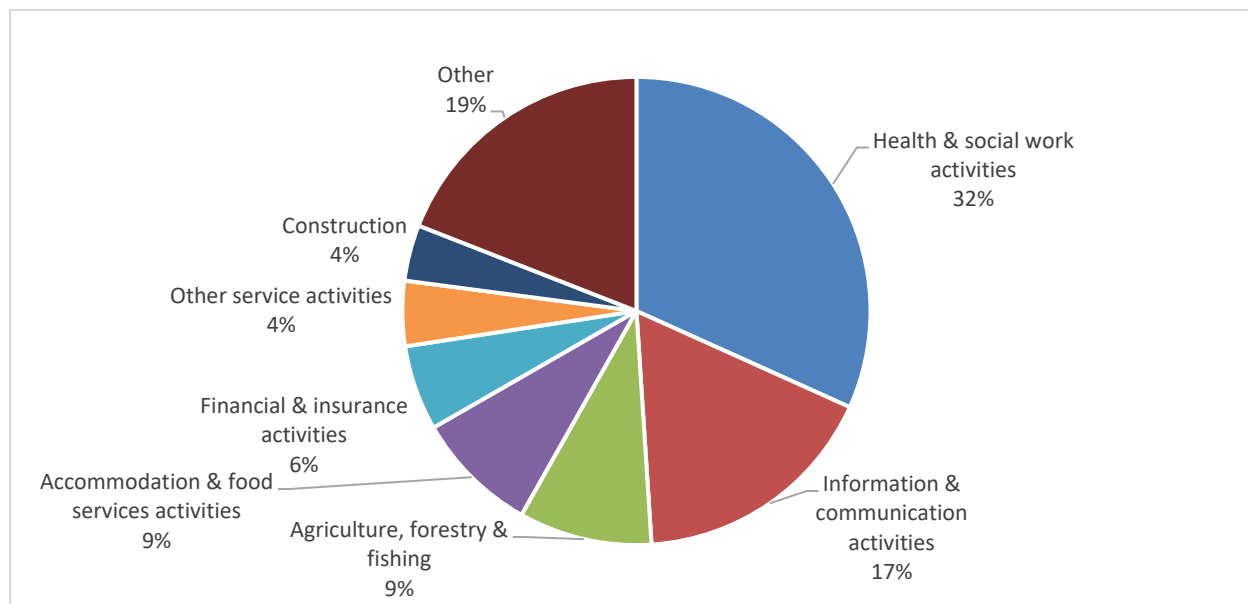
Figure 3.4 shows the countries of origin (according to nationality) for those issued employment permits in Ireland in 2024. As in previous years, it shows that a large number of nationalities are represented among employment permit holders in Ireland. As in previous years, India remains the top country of nationality, with 13,566 (34%) of employment permits issued to Indian nationals. This represents a 14% increase since 2023. Other top countries of origin include Brazil (4,553, 12%), the Philippines (4,049, 11%), China (1,962, 5%) and Pakistan (1,742, 4%), similar to previous years. This represents a recovery in permits issued to Brazilian nationals, after a significant drop in 2023.

**FIGURE 3.4 COUNTRIES OF ORIGIN FOR THOSE ISSUED EMPLOYMENT PERMITS IN 2024**

Source: DETE (2025). 'Employment permit statistics'.

Figure 3.5 shows the sectors for which employment permits were issued in 2024. As in previous years, the two most common sectors were health and social work activities (32%) and information and communication activities (17%).

**FIGURE 3.5 SECTORS IN WHICH EMPLOYMENT PERMITS WERE ISSUED IN 2024**



Source: DETE (2025). 'Employment permit statistics 2024'.

Table 3.1 shows the percentage change in employment permits issued to sectors between 2023 and 2024, a potential indicator of labour market activity and shortages. It shows an important increase in permits issued for agriculture, forestry and fishing (162%), as well as significant increases in arts, entertainment and recreation (74%), wholesale and retail trade (50%) and education (45%). It shows a significant drop in computer manufacturing (-33%) and in professional, scientific and technical occupations that don't fit into other categories (-20%).

**TABLE 3.1 EMPLOYMENT PERMITS BY SECTOR, 2023–2024, AND PERCENTAGE INCREASE/DECREASE**

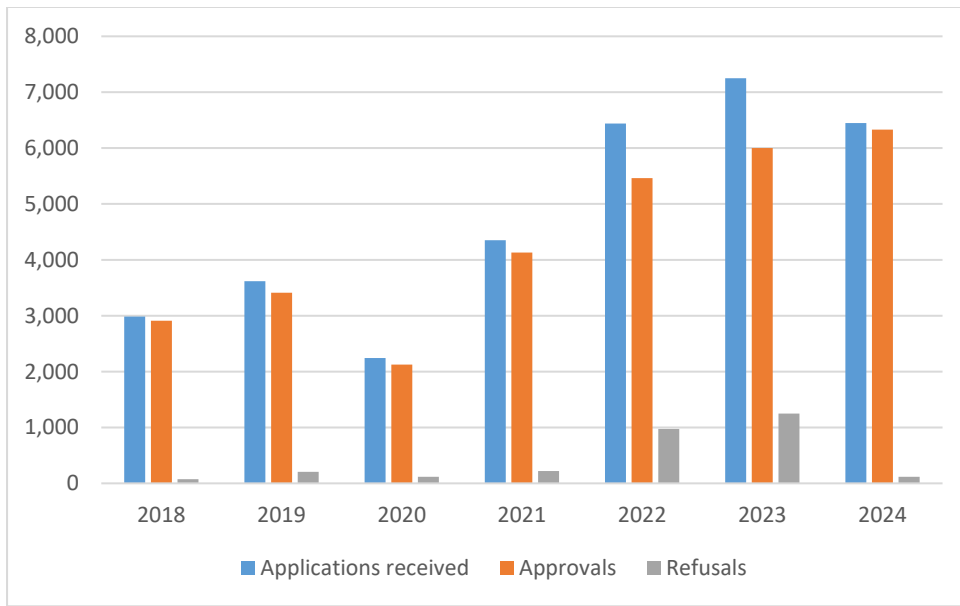
| Economic sector                                     | 2023          | 2024          | % change  |
|-----------------------------------------------------|---------------|---------------|-----------|
| A – Agriculture, forestry and fishing               | 1,385         | 3,625         | 162       |
| B – Mining and quarrying                            | 30            | 37            | 23        |
| C – All other manufacturing                         | 766           | 981           | 28        |
| C – Manufacture of chemicals & pharmaceuticals      | 877           | 829           | – 5       |
| C – Manufacture of computers, electronics & optical | 845           | 570           | – 33      |
| C – Manufacture of food, drink & tobacco            | 268           | 353           | 32        |
| C – Manufacture of medical devices                  | 281           | 289           | 3         |
| D – Electricity & gas & air conditioning supply     | 371           | 463           | 25        |
| E – Water supply - sewerage waste management & rem  | 87            | 86            | – 1       |
| F – Construction                                    | 1,349         | 1,523         | 13        |
| G – Wholesale & retail trade                        | 294           | 441           | 50        |
| H – Transport & storage                             | 907           | 1,282         | 41        |
| I – Accommodation & food services activities        | 2,606         | 3,358         | 29        |
| J – Information & communication activities          | 5,009         | 6,788         | 36        |
| K – Financial & insurance activities                | 2,373         | 2,318         | – 2       |
| L – Real estate activities                          | 14            | 24            | 71        |
| M – All other professional, scientific & technical  | 1,010         | 806           | – 20      |
| M – Professional, scientific & technical activities | 283           | 286           | 1         |
| N – Administrative & support service activities     | 80            | 89            | 11        |
| O – Public administration & defence                 | 15            | 23            | 53        |
| P – Education                                       | 246           | 357           | 45        |
| Q – Health & social work activities                 | 10,037        | 12,501        | 25        |
| R - Arts, entertainment and recreation              | 336           | 586           | 74        |
| S - Other service activities                        | 1,511         | 1,772         | 17        |
| T – Domestic – Activities of households as employer | 1             | 3             | 200       |
| <b>Grand total</b>                                  | <b>30,981</b> | <b>39,390</b> | <b>27</b> |

Source: DETE (2025). 'Employment permit statistics 2024'.

### 3.1.3 Atypical Working Scheme

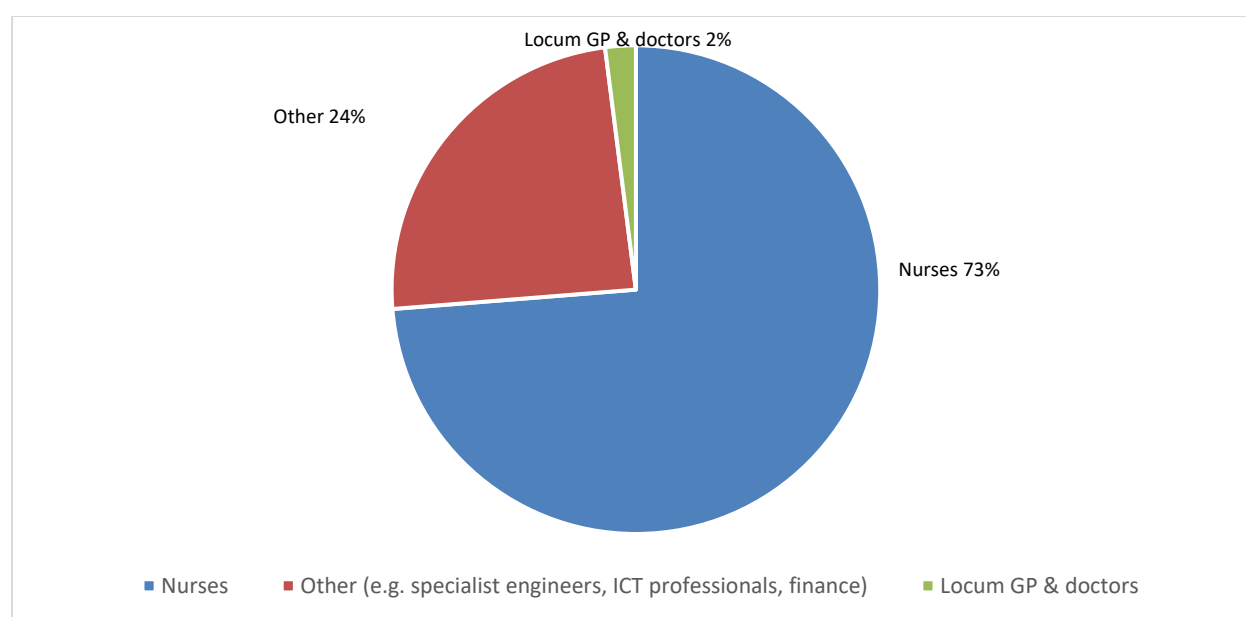
Figure 3.6 shows an 11% drop in applications for the Atypical Working Scheme (AWS) in 2024, to 6,449, as well as a large drop in refusals, alongside a rise in approvals. The AWS facilitates specialised, highly-skilled employment of a short term nature (generally less than 90 days) that is not supported by employment permits, and certain other employment situations.<sup>26</sup>

26 See Department of Justice, Home Affairs and Migration (2025). 'Atypical Working Scheme', [www.irishimmigration.ie](http://www.irishimmigration.ie), last accessed 21 November 2025.

**FIGURE 3.6 AWS APPLICATIONS, APPROVALS AND REFUSALS 2018–2024**

Source: Correspondence with the Department of Justice, November 2024 and October 2025.

Figure 3.7 shows that nurses continue to make up the majority of applicants for the AWS, representing 74% of applications in 2024.

**FIGURE 3.7** SECTORAL BREAKDOWN OF APPLICATIONS FOR THE AWS IN 2024 (AS % OF TOTAL APPLICATIONS)

Source: Correspondence with the Department of Justice, November 2024 and October 2025.

Note: Percentages do not add up to 100 due to rounding.

## 3.2 DEVELOPMENTS

### 3.2.1 *Employment Permits Act 2024*

The *Employment Permits Act 2024*<sup>27</sup> was passed in June 2024 and largely entered into effect on 2 September 2024. (See previous versions of this report for information on debates and the legislative phases of the Act.) The Act represents the largest reform to employment permit legislation since 2006. It applies to all non-European Economic Area (EEA) nationals who seek to take up employment and residence in Ireland. It repeals the *Employment Permits Act 2003* and the *Employment Permits Act 2006*, and revokes the Employment Permits Regulations 2017.<sup>28</sup> The Act aims to consolidate, update and improve existing employment permit law, and to create a more agile system able to respond flexibly and effectively to changing labour market needs.<sup>29</sup> It is the largest in a series of legislative changes intended to increase the overall attractiveness of Ireland as a destination for non-EEA workers, and thereby address persisting labour shortages.

27 *Employment Permits Act 2024* (No. 17 of 2024), commenced by 'S.I. No. 443/2024 – Employment Permits Act 2024 (Commencement) Order 2024'.

28 *Employment Permits Act 2024* (No. 17 of 2024), commenced by 'S.I. No. 443/2024 – Employment Permits Act 2024 (Commencement) Order 2024'.

29 DETE (2024). 'Employment Permits Bill 2022: From the Seanad', Dáil Éireann debate Vol. 1056 No. 1, 19 June, [www.oireachtas.ie](http://www.oireachtas.ie).



The *Employment Permits Act 2024* contains these key provisions.

- *Change of employer.* Holders of General Employment Permits (GEP) and Critical Skills Employment Permits (CSEP) are now able to apply to change employers where the permit remains valid for at least another two months. For GEP holders, the new role must be the same as the one for which the employment permit was issued, while CSEP holders enjoy flexibility within their occupation classification.<sup>30</sup> Prior to this change, permit holders were required to apply for a new permit in order to change employer, and employers were required to conduct a new labour market needs test (for GEPs). The new Act has eliminated these conditions in these cases.<sup>31</sup> Where the permit holder is on their first permit in the State, they can apply to change employer after a period of 9 months has passed, reduced from the previous 12 months.
- *Creation of a Seasonal Employment Permit (SEP).* The new SEP is designed to facilitate the employment of non-EEA workers in seasonally recurring employment (for a maximum duration of seven months per calendar year), as Ireland previously did not have a separate permit system for seasonal roles. The new permit is intended to facilitate short-term employment, particularly in the horticulture sector, and contains requirements for the provision of appropriate accommodation and health insurance.<sup>32</sup> Under the SEP, employers of seasonal non-EEA workers must register and obtain annual pre-approval as an ‘approved seasonal employer’.<sup>33</sup> SEP permit holders are eligible to change seasonal employer (if the new employer is also an approved seasonal employer) through a simplified notification procedure. A pilot scheme commenced in 2025, initially limited to specific employers in the horticultural sector.<sup>34</sup>
- *Revision of the labour market needs test.* A prior criteria requiring employers to place vacancy adverts in print media has been removed. Going forward, employers are required to publish the advertisement on two or more online platforms – one of which must be the EURES online employment services site – for at least 28 consecutive days to satisfy the test.
- *Change to the 50:50 rule.* The condition that 50% of an employer’s staff must be EEA nationals before an employment permit can be issued is waived in cases where the permit holder would be the sole employee.
- *Indexation of minimum annual remuneration (MAR) thresholds.* A new provision on indexing minimal annual remuneration for employment permit holders was

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30 Department of Justice (2024). ‘Response to a parliamentary question 46/2024’, 26 September, [www.oireachtas.ie](http://www.oireachtas.ie).

31 Department of Enterprise, Trade and Employment (2024). ‘Employment Permits Act 2024. Information on key changes and developments’, last accessed 19 February 2025.

32 Department of Enterprise, Trade and Employment (2024). ‘Employment Permits Act 2024. Information on key changes and developments’, last accessed 19 February 2025.

33 *Employment Permits Act 2024* (No. 17 of 2024), commenced by ‘S.I. No. 443/2024 – Employment Permits Act 2024 (Commencement) Order 2024’.

34 DETE (2024). Dáil Éireann debate Vol. 1056 No. 1 on ‘Employment Permits Bill 2022: From the Seanad’, 19 June, [www.oireachtas.ie](http://www.oireachtas.ie).

introduced allowing the Minister to annually assess whether thresholds are in line with increases in average earnings and adjust the MAR thresholds accordingly.<sup>35</sup>

- *Role of employment agencies.* While in principle a direct employer–employee relationship is required to grant an employment permit, the Act allows for employment relationships where the salary of the permit holder is paid by an entity other than the employer. This is intended to simplify the processing of applications that include both an employer and an employment agency.
- *Provision of additional conditions for the granting of permits.* The Act granted the Minister discretionary power to specify the conditions provided to GEP and SEP holders. These can contain, for instance, accommodation, training or expenses to be provided to the permit holder.<sup>36</sup>

Accompanying secondary legislation was also passed in 2024, the *Employment Permits Regulations 2024*,<sup>37</sup> to replace the *Employment Permit Regulations 2017*. The new regulations set the process, criteria, rights and application fees for an employment permit. Notably, many operational details previously associated with the Act (primary legislation) were moved to the Regulations (secondary legislation). This includes the criteria that must be met in relation to applications for a permit that requires the labour market needs test. The Regulations also contain the Critical Skills Occupations List, which determines which jobs are eligible for the CSEP, and the Ineligible Occupations List, which determines the jobs for which no employment permit shall be granted. These lists are subject to periodic review.

The Migrant Rights Centre of Ireland (MRCI) welcomed the ability to change employer, having campaigned for this right and made submissions encouraging it throughout the process, saying that tying migrants to one employer led to exploitation.<sup>38</sup>

### 3.2.2 Right to work for spouses and partners of most employment permit holders

In May 2024, it was announced that eligible spouses and partners of GEP holders and Intra-Corporate Transferee Employment Permit holders who have been granted family reunification will now be registered on a Stamp 1G instead of a Stamp 3 permission. Equally, spouses and partners of those holding a CSEP and of researchers on a hosting agreement who were registered on a Stamp 3 became eligible for the Stamp 1G. The holder of the 1G permission can take up employment in Ireland without applying for a separate employment permit, undertake a course of study in Ireland, and apply for

35 Government of Ireland, Review of the proposed roadmap for increasing minimum annual remuneration thresholds for employment permits – Survey note.

36 Department of Enterprise, Trade and Employment (2024). ‘Employment Permits Act 2024. Information on key changes and developments’, last accessed 19 February 2025.

37 Employment Permits Regulations 2024, S.I. No. 444/2024.

38 See Joint Committee on Enterprise, Trade and Employment (2021). *Report on the pre-legislative scrutiny of the General Scheme of the Employment Permits (Consolidation and Amendment) Bill 2019*, Houses of the Oireachtas; MRCI (2024). ‘30.01.2024 Media release’.

the Stamp 4 permit after five consecutive years on a Stamp 1G. In contrast, under the Stamp 3 permission, family members do not hold an automatic employment permission.<sup>39</sup> This policy came into effect on 15 May 2024.<sup>40</sup> Non-governmental organisations (NGOs) welcomed the change, citing previous advocacy around the issue.<sup>41</sup> The Immigrant Council of Ireland said that they regret that it had not been extended to other dependents (e.g. children) who still cannot take up paid work without a separate permit.<sup>42</sup> The Department of Enterprise, Trade and Employment (DETE) indicated that the *Employment Permits Act 2024* provides wide access to the labour market for those migrants who are deemed dependants of CSEP holders through the Dependant Employment Permit.<sup>43</sup>

### 3.2.3 Implementation, deferral and review of the minimum annual remuneration roadmap

As part of a 2023 review of the occupations lists for employment permits, a recommendation was made to update MAR thresholds for employment permits. According to the review, the thresholds were out of date as they had not kept pace with wage increases or inflation since they were set in 2014.<sup>44</sup> The review set out a roadmap for phased increases, with some increases coming in from January 2024 and others in January 2025. The review foresaw that after this point, the indexation of minimum annual remuneration would come into effect through the Employment Permits Act (see Section 3.2.1).

In January 2024, the first stage of the increases came into effect. This change increased the minimum remuneration from €30,000 to €34,000 for most employment permit holders. It applied to both new permits and renewals.<sup>45</sup> Lower paid roles such as meat processing operative and horticulture worker were increased to €30,000 (from €22,000).<sup>46</sup> The *Employment Permits (Amendment) (No. 5) Regulations 2024* scheduled a later increase of the MAR (and minimum hourly rate) for home carers, care workers and healthcare assistants from January 2025.<sup>47</sup>

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39 Department of Justice, 'Immigration permission/stamps', available at [www.irishimmigration.ie](http://www.irishimmigration.ie), last accessed 19 February 2025.

40 Department of Justice (2024). 'Attention eligible spouses and partners of General Employment Permit and Intra-Corporate Transferee Irish Employment Permit holders', 15 May, last accessed 19 February 2025.

41 See Immigrant Council of Ireland (2024). 'Statement on positive changes for the rights of dependent spouses of employment permit holders', 16 May; MRCI (2024). 'Changes to employment permits to allow spouses to work', press release, 16 May.

42 Immigrant Council of Ireland (2024). 'Statement on positive changes for the rights of dependent spouses of employment permit holders', 16 May.

43 Correspondence with DETE, October 2025.

44 DETE (2023). 'Outcome of the review of the occupations lists for Employment Permits – 2023', 20 December.

45 DETE (2024). 'Response to a parliamentary question 437/2024', 17 January, [www.oireachtas.ie](http://www.oireachtas.ie).

46 Government of Ireland, Review of the proposed roadmap for increasing minimum annual remuneration thresholds for employment permits – Survey note.

47 Employment Permits (Amendment) (No. 5) Regulations 2024, S.I. No. 733/2024.

However, concerns were raised by employers and others about the sustainability of the roadmap. As a result, DETE initiated a review in December 2024 and deferred increases proposed for 2025 and 2026 pending the outcome of the review. The review of the proposed roadmap sought evidence, experiences and perspectives from Irish businesses and relevant stakeholders.<sup>48</sup>

### 3.2.4 Single permit scheme approval

In May 2024, the Government approved the rollout of a single permit system for both residence and employment permissions.<sup>49</sup> This follows government approval in principle in December 2022 for a single application procedure for work and immigration permissions, subject to the consideration of an inter-departmental working group.<sup>50</sup> The goal of this, according to the Minister for Justice, was to increase competitiveness and to reduce the cost and complexity of the current system for employees and employers.<sup>51</sup>

Currently, applicants have to first request an employment permit with DETE, and in a second procedure if preclearance or if a visa is required, apply for the corresponding permission or visa with the Department of Justice, Home Affairs and Migration to enter the State. Under a single permit scheme, an applicant would apply to both DETE and the Department of Justice, Home Affairs and Migration at the same time and receive a single decision from both departments. The project follows the recommendation of the inter-departmental working group tasked with examining the feasibility of a single application procedure. Implementation was expected to commence in January 2025 and continue over the next three years. A programme management team was established under the joint remit of the Department of Justice, Home Affairs and Migration and DETE to oversee this implementation process and to work towards streamlining existing processes within a new application platform.<sup>52</sup> Eventually, Ireland may opt into the Single Permit Directive 2011/98/EU, subject to further government decision.<sup>53</sup> The Single Permit Directive requires that the decision to issue, amend, renew or reject the single permit is made as one administrative act within 90 days.<sup>54</sup>

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48 Government of Ireland (2024). Review of the proposed roadmap for increasing minimum annual remuneration thresholds for employment permits – Survey note.

49 Department of Justice (2024). ‘Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills’, 15 May, press release.

50 Department of Justice (2024). ‘Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills’, 15 May, press release.

51 Department of Justice (2024). ‘Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills’, 15 May, press release.

52 Department of Justice (2024). ‘Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills’, 15 May, press release, last accessed 19 February 2025.

53 Department of Justice (2024). ‘Ministers McEntee and Burke welcome agreement on actions to increase the competitiveness of Ireland in attracting key skills’, 15 May, press release, last accessed 19 February 2025.

54 Directive (EU) 2024/1233.

The MRCI welcomed the decision, saying that it should make the system simpler, quicker and less costly.<sup>55</sup>

### 3.2.5 Sea fishers on GEPs

The regulation and protection of sea fishers in the Irish fishing fleet has been a point of debate and criticism over the last ten years. In 2022, it was decided upon the recommendation of a cross-departmental working group to transition these workers to the standard GEP instead of the AWS (see the 2022 report in this series for a short summary of the history and developments). In July 2024, sea fishers in the Irish fishing fleet were made eligible for the GEP, with a minimum annual remuneration of €34,000 and a quota of 150 permits.<sup>56</sup>

### 3.2.6 Updates to quotas

Ireland manages employment permits through the operation of two lists (the Critical Skills Occupation List and the Ineligible Occupations List). Occupations that are not on either list are eligible for a General Employment Permit. However, some of these occupations are subject to a maximum number of permits that can be issued at a time (a quota). In 2024, some changes were made to quotas. These were:

- Agricultural sector: New quotas were introduced or quotas were extended for a range of roles, including pig farm assistants, butcher/boner, horticulture worker dairy farm assistants and meat processing operative.<sup>57</sup>
- Sea fishers: As of July 2024, a new quota of 150 permits entered into effect for sea fishers in the Irish fishing fleet.<sup>58</sup>
- Car mechanics: As of October 2024, quotas were extended for the roles of car mechanic, motor mechanic, auto electrician and motor vehicle technicians, and road worthiness testers.<sup>59</sup>

### 3.2.7 *Global Citizens 2030* – Implementation of a talent and innovation strategy

In January 2024, the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) launched *Global Citizens 2030*, Ireland's first international talent and innovation strategy.<sup>60</sup> The strategy intends to foster and strengthen Ireland's place as a first-choice destination for international third-level

55 MRCI (2024). 'Changes to employment permits to allow spouses to work', press release, 16 May.

56 DETE (2024). 'Minister Higgins announces 150 employment permits for sea fishers', 3 July, last accessed 19 February 2025.

57 Correspondence with DETE, February 2025; DETE, 'Latest employment permits notices and developments', last accessed 19 February 2025.

58 Employment Permits (Amendment) (No. 3) Regulations 2024 S.I. No. 328/2024.

59 Employment Permits (Amendment) (No. 4) Regulations S.I. No. 598/2024.

60 Government of Ireland (2024). *Global Citizens 2030 Ireland's International Talent and Innovation Strategy*, last accessed 19 February 2025.

students, English language learners and PhD students. The strategy contains initiatives such as sending ‘talent and innovation attachés’ to certain priority regions, and fostering Shared Island education exchanges.<sup>61</sup> An accompanying Global Citizens 2030 Implementation Forum was established to gather departmental and stakeholder input and oversee strategy implementation; this met for the first time in July 2024.<sup>62</sup> TrustEd Ireland – a new statutory international education mark – is a flagship initiative under pillar two of the strategy, and was launched in September 2024. Its goal is to promote confidence, both nationally and internationally, in the quality of the Irish education system. It will ensure that international learners enrolled with Irish higher education and English language education providers are protected and that they receive a quality, consistent learning experience.<sup>63</sup>

### 3.3 RESEARCH

#### 3.3.1 Labour market impacts of healthcare assistant employment permits

In 2024, DETE published a report by KPMG on the labour market impacts of healthcare assistant employment permits.<sup>64</sup> It was based on a literature review, survey and interviews. It also created a labour market model of supply and demand for healthcare assistants, laying out different growth scenarios. The research found that healthcare assistants on employment permits are disproportionately likely to work in private nursing homes – they also found that private nursing homes have lower salaries, higher turnover rates, and higher numbers of vacancies. The research found that pay, location and flexibility all influence employment choices. They found that many healthcare assistants, especially those with permits, transition to new roles after two years. It also identified a growing unmet demand for healthcare assistants, and concluded that this growing demand, combined with the relatively low share of employment permit-holding healthcare assistants, suggests that employment permits for non-EEA healthcare assistants have not had a material impact on the labour market at current levels. The model of demand for and supply of healthcare assistants outlined multiple scenarios. It found current unmet demand for healthcare assistants, with the shortfall expected to worsen over the next decade. However, this depends significantly on the demand for home care and nursing homes. While increasing the wage thresholds might reduce the shortage of healthcare assistants in the short term, the study found that this would not balance the shortfall predicted to develop in the late 2020s and early 2030s.

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61 Government of Ireland (2024). Global Citizens 2030 Ireland’s International Talent and Innovation Strategy, last accessed 19 February 2025.

62 Government of Ireland (2024). Global Citizens 2030 Ireland’s International Talent and Innovation Strategy, last accessed 19 February 2025.

63 Correspondence with DFHERIS, February 2025.

64 KPMG (2024). ‘Department of Enterprise Trade and Employment: Labour market impacts of healthcare assistant employment permits’.

### 3.3.2 Immigration policy for workforce challenges

ODI published a working paper that analysed the role that immigration policy can play in meeting the workforce challenges posed by national retrofitting and housing targets in Ireland.<sup>65</sup> It is based on an extensive review of policy, data, research and stakeholder interviews. They highlight the scale of workers needed to meet retrofitting targets under the Climate Action Plan, as well as housing targets under Housing for All. Their research finds progress in retrofitting policy but that current forecasts show that Ireland will fall far short of its retrofit targets, with stakeholders interviewed identifying the lack of appropriately skilled labour as the biggest barrier. They find that the greatest shortage lies in craft occupations (e.g. plumbers, electricians, carpenters), with manual construction workers also identified as critical and in short supply. The majority of these workers were found to be needed by the end of 2026 to meet 2030 targets. The study also identified a fall in the number of Irish and EU construction workers, and that foreign workers have been solely responsible for driving workforce growth over the previous year. The authors highlighted responses within the employment permit system to meet skills shortages, but also found that small firms, which dominate the Irish building sector, struggle to use the employment permit system because of low administrative capacity, and that there are challenges with recruitment because of the lack of affordable housing. The research indicated that there is potential in the activation of existing migrant groups for this work, including language students, international protection applicants (IPAs) and refugees, but that there is no strategic approach to facilitating international protection groups in particular to access the sector. They indicated that the focus in Irish policy discussions tends to be on recruitment of high-skilled labour from outside the EU, with the assumption that manual labour will come from within the EU, in spite of evidence that this context has changed. The study concluded with a number of recommendations, including the addition of craft skills to the Critical Skills Occupation List, a job search permit targeted at construction occupations, support for IPAs and refugees already in Ireland to access construction jobs, making better use of global refugee talent, and developing mobility partnerships that involve upskilling in the country of origin.

### 3.3.3 Potential of immigrant entrepreneurship

Thomas Cooney and Martina Brophy published a book chapter on immigrant entrepreneurship in Ireland.<sup>66</sup> It was aimed at informing policy to untap the potential of migrant entrepreneurs in Ireland. The research included a literature review on immigrant entrepreneurship and a survey of 202 migrants who had started a business or were interested in starting a business. The literature review covered the prevalence and motivations for entrepreneurship, and highlighted higher entrepreneurship

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65 Kumar, C. and D. Donoghue (2024) *Decarbonising Ireland's building stock: How immigration policy can help solve workforce challenges*, ODI Working paper, London: ODI.

66 Cooney, T.M. and M. Brophy (2024). *Future potential of immigrant entrepreneurship in Ireland*, Dublin: Technological University Dublin.



aspirations among non-Irish compared with Irish citizens. They outlined additional challenges that migrant entrepreneurs face, including access to finance, access to mainstream business networks, exclusive focus on immigrant markets and concentration in marginal economic sectors, skills gaps, a lack of familiarity with the regulatory framework, and societal hostility. The research presented survey results on the type and scale of the businesses held by immigrant entrepreneurs, the motivations for entrepreneurship and immigrant entrepreneurs' networks.

### 3.3.4 Cross-border workers

The ESRI published a working paper on cross-border working on the island of Ireland.<sup>67</sup> The research is based on census data and administrative data to estimate the scale of cross-border working, and an online survey of cross-border workers. They found that the total number of cross-border workers (in both directions) increased by between 40% and 51% between 2011 and 2021, mainly due to a significant increase in the number of people travelling from Northern Ireland to the Republic of Ireland for work (which almost doubled according to some data sources). However, they found that they accounted for less than 1% of the labour market in both countries, although this climbs to 4% in the border counties. The research presents findings from the survey on sectors, levels of education of cross-border working, working conditions, satisfaction, motivations for cross-border working and the impact of COVID-19 and Brexit on cross-border workers. They found a wage disadvantage of 30% for cross-border workers going from the Republic to Northern Ireland compared with those going in the opposite direction. The gap in wages between the Republic of Ireland and Northern Ireland was highlighted as a significant factor driving cross-border work, with the average annual difference in earnings estimated at €12,584. Alongside salary and career-based incentives, proximity to the border was found to be a central motivating factor behind cross-border working, with half of such workers living within ten miles of the border.

## 3.4 CASE LAW

### 3.4.1 Family reunification visas: *AA & ors v. The Minister for Justice* [2024] IECA 57

**Facts:** Mr A, an Egyptian national, was offered employment in Ireland as a software application developer and was issued a CSEP by the Department of Business, Enterprise and Employment. Mr A, his wife, and their child subsequently applied for visas to enter Ireland. Their visa applications were refused by the Department of Justice, and this refusal was upheld on review. The reasons cited included: insufficient documentation; failure to satisfy the visa officer that the applicants would comply with

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67 McGuinness, S., A. Bergin and A. Devlin (2024). *A study of crossborder working on the Island of Ireland*, ESRI Working Paper No. 781, Dublin: ESRI.



the conditions of their visas; and inconsistencies in the information provided, including concerns that Mr A lacked sufficient qualifications and experience for the position.

The applicants sought judicial review in the High Court, which upheld the Minister's decision. They appealed to the Court of Appeal.

**Reasoning:** In the Court of Appeal, Faherty J examined each of the stated reasons for refusal. Regarding the first ground, that the applicants might not observe the visa conditions, Faherty J found that the decision maker had provided inadequate reasons to support this conclusion.

On the remaining grounds of insufficient documentation and inadequate qualifications or experience, Faherty J observed that while the information provided by Mr A contained little that would typically relate to a software development role, the decision maker failed to identify what specific information was missing from the application. Faherty J recalled that the applicants tried a number of different means to deduce what evidence was missing from their applications, including contacting their embassy, with little support. Faherty J held that the short form reasons given by the respondent to the initial refusal did not enable him to know what type of material was required. In the particular circumstances of the case, Faherty J held that the respondent, in the refusal decision, should have highlighted the deficiencies in the applicant's qualifications and work experience for the post.

Finally, the Court affirmed that the granting of a CSEP by the Department of Business, Enterprise and Employment does not displace or limit the Minister for Justice's independent discretion to grant or refuse visas and permission to enter the State.

**Decision:** The appeal was allowed and the matter was remitted for reconsideration by a different decision maker. The applicant was given four weeks to provide the decision maker with documentation related to his qualifications and experience.

### 3.4.2 Family reunification: *TA & ors v. Minister for Justice* [2024] IEHC 694

**Facts:** The applicant was an Afghan national, who fled to Ireland in 2006 and naturalised as an Irish citizen in 2021. His wife, who he married in 1998, and four children were resident in Iran and then applied for international protection in Turkey in 2021. His wife and four children applied for long-stay visas to come to Ireland in December 2021. These applications were refused due to, *inter alia*, insufficient evidence of emotional and social support, lack of evidence of ongoing social contact, and the lack of birth certificates in respect of the third and fourth child. This refusal was upheld on review. The applicants sought judicial review proceedings in the High Court.

**Reasoning:** On most of the grounds of appeal, O'Regan J found the decision making to be lawful and the evidence submitted to have been adequately assessed. O'Regan J was satisfied that the applicants did not demonstrate that Article 8 of the European Convention on Human Rights, regarding rights to family life, were infringed or that the respondent failed to act in the best interests of the child.

However, on the consideration of the applicant's rights under Article 41 of the Constitution and specifically on the institution of marriage, O'Regan J held that this was inadequately assessed. With reference to the Supreme Court decision in *Gorry* [2020] IESC 55, O'Regan J recalled that where credible evidence is given that a decision may result in an Irish citizen being unable to cohabit in Ireland with their spouse and where it may be extremely burdensome to reside together anywhere else, the State would fail to have regard to and respect for the institution of marriage if it did not consider those factors and give them substantial weight.

It was held that the decision maker did not consider cohabitation options available to the couple, as well as other factors such as the length and duration of the marriage. It was also important to consider, *inter alia*, that the current arrangement is not a choice of the applicants, that visits do not equate to an ability to cohabit or a reasonable substitute, that the visa applicants are currently IPAs in Turkey without any future permissions to reside, and the possibility of whether they could reside in their country of origin.

**Decision:** O'Regan J held that the Minister's consideration of Article 41 failed to recognise the relationship between the applicants and to respect the institution of marriage. It was held that this aspect of the decision should be remitted for further consideration.

### 3.4.3 Employment permit for tattoo artist: *Yoon v. Minister for Enterprise, Trade and Employment* [2024] IEHC 548

**Facts:** The applicant lived in Ireland initially as a student and then on a Working Holiday Authorisation, during which time she worked as a tattoo artist. She applied for a GEP to take up a permanent position as a tattoo artist. The application was refused because the position was considered to fall on the ineligible occupations list, under SOC code 6222 for 'beauticians and related occupations'. The applicant argued that the tattoo artist position was different to those that fell under beauticians and related occupations, and that it fell under the SOC code for artists (SOC 3411), an occupation that is eligible for an employment permit.

The review of the decision upheld the refusal of an employment permit. The applicant brought judicial review proceedings to the High Court.

**Reasoning:** In the judgment, O'Donnell J held that the decision maker failed to engage with the submissions made by the applicant that the classification SOC 6222 was not appropriate to the occupation of tattoo artist.

O'Donnell J further recalled that the occupation of tattoo artist or tattooist is not referred to expressly in the ineligible occupations list in Schedule 4 in the *Employment Permits Act 2006*, though is referred to in the UK SOC 2010 list on which it is based. However, the only reason given by the decision maker was that the occupation fell under SOC 6222, and the application for an employment permit should be refused. As a result, there was a failure to give reasons for this decision.

**Decision:** O'Donnell J held that the respondent failed to exercise the limited discretion required in reviewing the refusal decision. An order of *certiorari* quashing the respondent's decision was granted.

## CHAPTER 4

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### International protection

#### 4.1 STATISTICS

This section outlines statistics relating to international protection in Ireland. These statistics do not include beneficiaries of temporary protection from Ukraine, who are covered by a different legal framework (see Chapter 5).

##### 4.1.1 Applications

A total of 18,561 applications for international protection were made in Ireland in 2024, according to the International Protection Office (IPO).<sup>68</sup> This was a 40% increase from 2023, following the general trend upwards in recent years (see Figure 4.1).<sup>69</sup> Of these, 62% were males, and 28% of applicants were under 18, according to rounded Eurostat data. For at least the past ten years, the highest number of applications have been from 18 to 34 year olds; however, those under 14 saw the greatest increase in 2024, up 87% from 2023. This includes both minors arriving with families and unaccompanied minors (see Chapter 6 for more details).

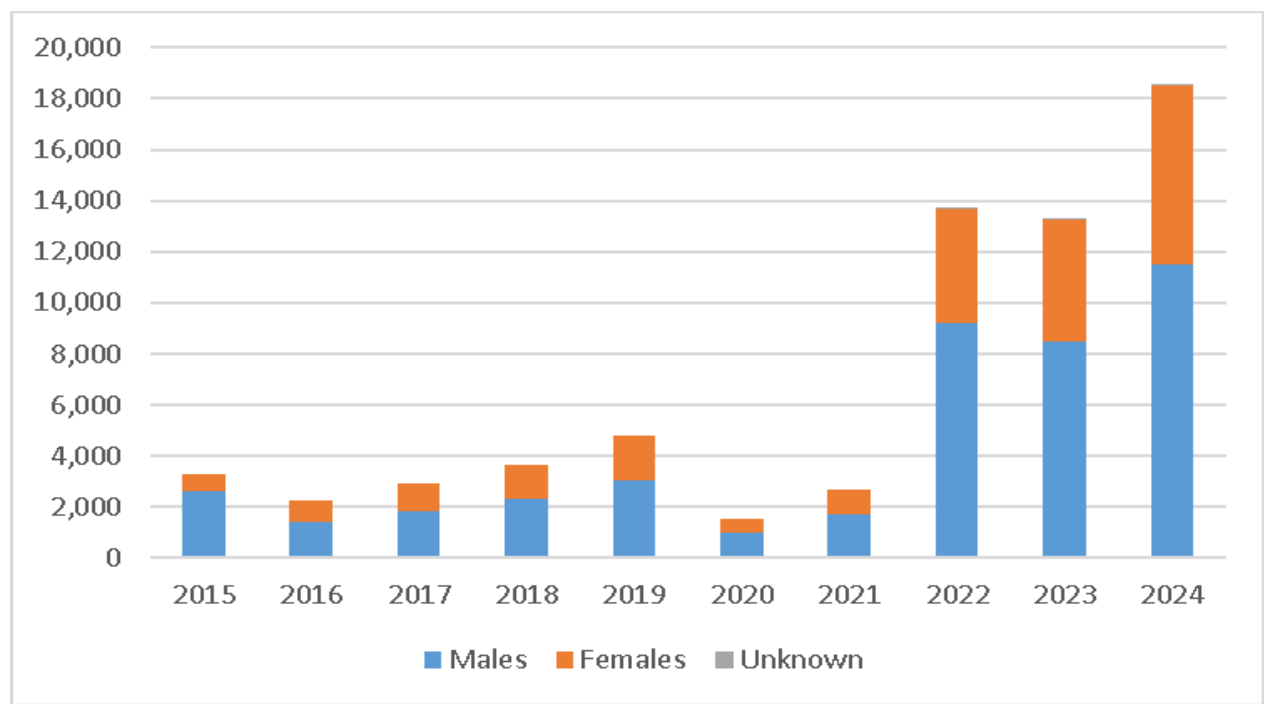
Applications for international protection in Ireland in 2024 accounted for 1.86% of the EU total of 997,350, compared to 1.17% in 2023.<sup>70</sup> The number of total applications across the EU decreased for the first time since 2020.

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68 IPO (2023). 'Monthly statistical report: December 2023', accessed 20 June 2025.

69 Eurostat (2024). 'Asylum applicants by type of applicant, citizenship, age and sex – Annual aggregated data', extracted 20 June 2025.

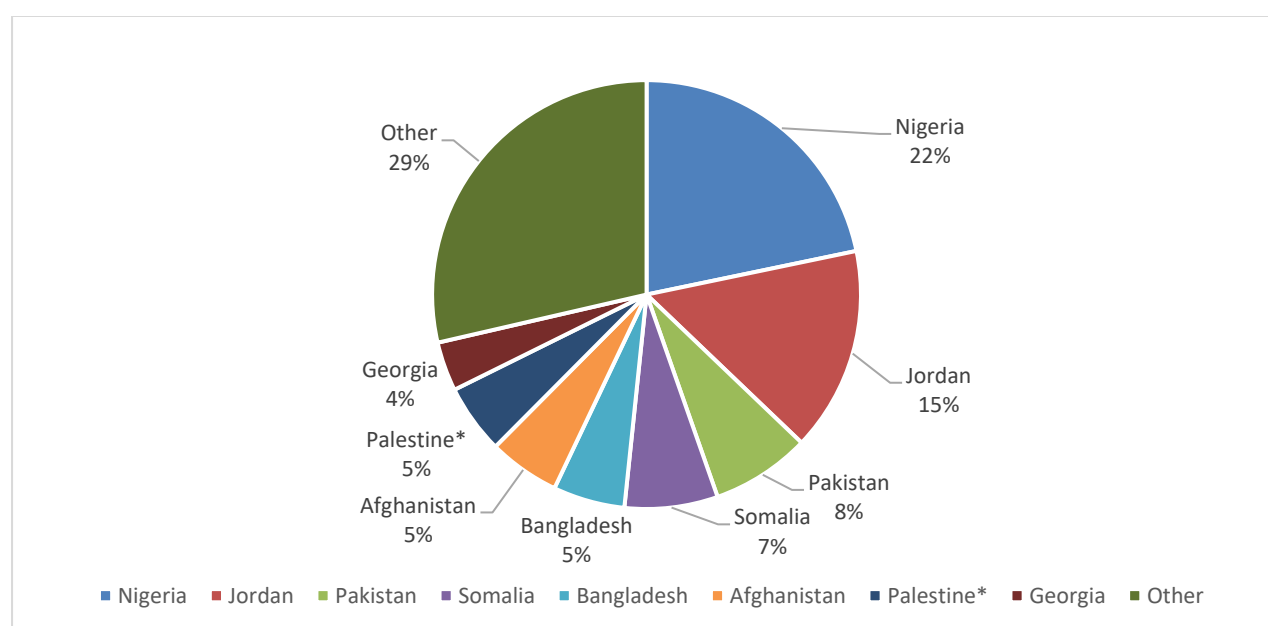
70 Eurostat (2024). 'Asylum applicants by type of applicant, citizenship, age and sex – Annual aggregated data', extracted 20 June 2025.

**FIGURE 4.1 ASYLUM APPLICATIONS BY GENDER, 2015–2024**

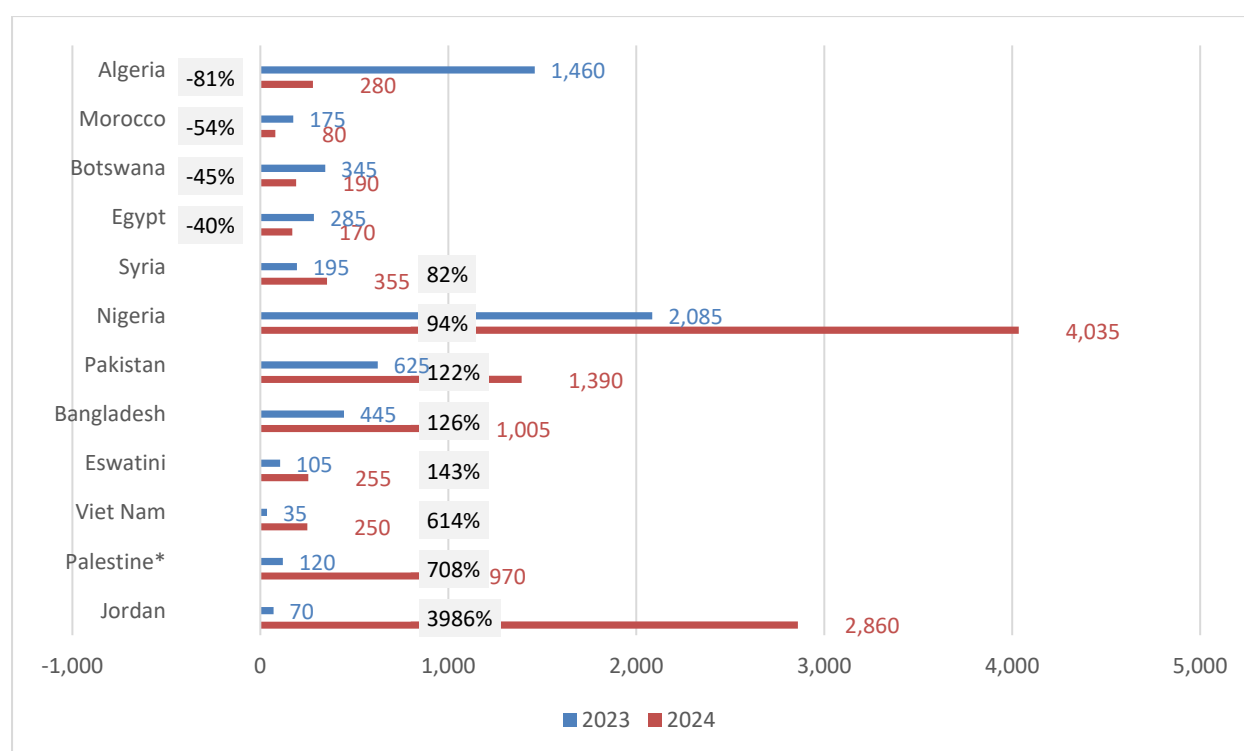
**Source:** Eurostat (2024). 'Asylum applicants by type of applicant, citizenship, age and sex – Annual aggregated data', extracted 20 June 2025.

**Note:** The 'Unknown' category accounts for 10 applications in 2022, 10 in 2023 and 20 in 2024.

Figure 4.2 shows the main countries of origin of international protection applicants (IPAs) in Ireland in 2024. Nigeria, Jordan and Pakistan were the top three countries of origin. The largest difference from previous years concerned the number of applications from Jordanians, which rose from 70 in 2023 to 2,860 in 2024, making that year the first time Jordan entered the top five. Bangladesh also entered the top five for the first time since 2015. Figure 4.3 shows the nationalities with the most significant changes in numbers between 2023 and 2024. The biggest decrease was Algeria, which decreased by 81% (1,460 to 280). The absolute number of applications from some countries, such as Afghanistan and Somalia, did not differ much from 2023. However, the relative standing of Afghanistan did, as the numbers from other countries changed more dramatically (see Figure 4.3). For example, applications from Afghanistan went from the third to the sixth highest number of applications.

**FIGURE 4.2 NATIONALITY OF INTERNATIONAL PROTECTION APPLICANTS IN IRELAND, 2024**

Source: Eurostat (2024). 'Asylum applicants by type of applicant, citizenship, age and sex – Annual aggregated data', extracted 20 June 2025.

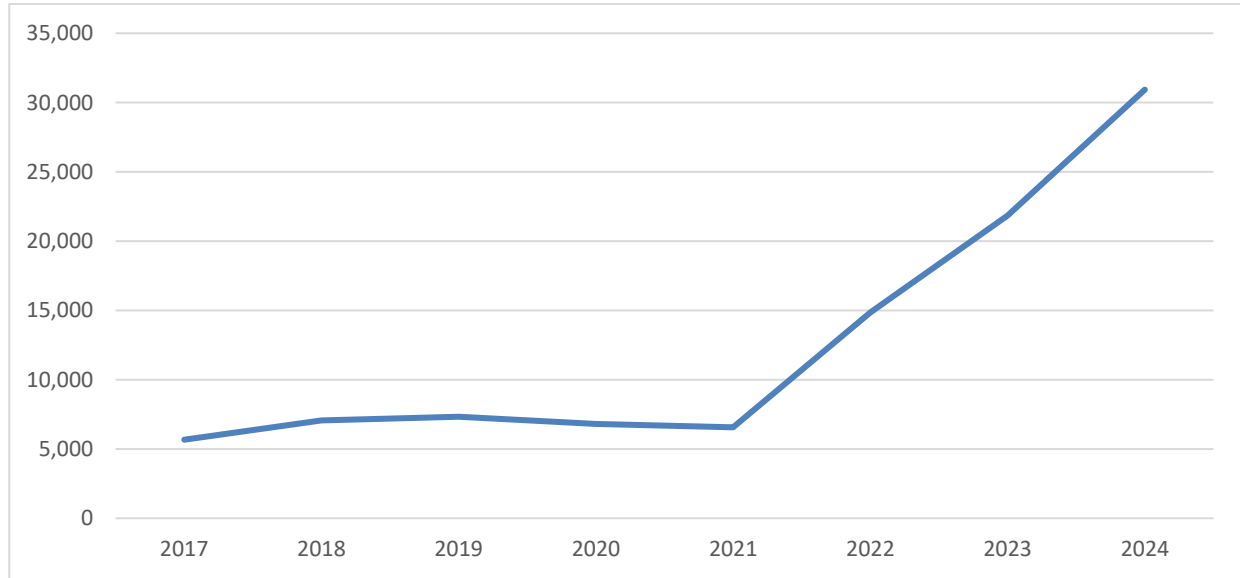
**FIGURE 4.3 THE MOST SIGNIFICANT CHANGES IN THE NUMBER OF APPLICATIONS, 2023–2024**

Source: Eurostat (2024). 'Asylum applicants by type of applicant, citizenship, age and sex – Annual aggregated data', extracted 20 June 2025.

Figure 4.4 demonstrates that Ireland has continued its year-on-year increase in the number of asylum applications still pending at the end of the year since 2021. In 2024,

the increase was 42%, with 30,935 asylum applications pending at year end. However, the steepest increase remains the 126% jump seen in 2022.<sup>71</sup> Pending applications include cases still with the IPO and those that have been referred to the International Protection Appeals Tribunal (IPAT).

**FIGURE 4.4 PERSONS SUBJECT OF ASYLUM APPLICATIONS PENDING AT YEAR END, 2017–2024**



*Source:* Eurostat (2024). 'Persons subject of asylum applications pending at the end of the month by citizenship, age and sex – Monthly data', extracted 20 June 2025.

<sup>71</sup> Eurostat (2024). 'Persons subject of asylum applications pending at the end of the month by citizenship, age and sex – Monthly data', extracted 20 June 2025.

**Box 4.1 Guide to international protection decisions data**

To support understanding of the data on decisions that is presented in this chapter, the graphic below shows a simplified version of the international protection process and how it relates to decision-making data, as reported by Eurostat. Data on each of the four stages are shown in the figures that follow.

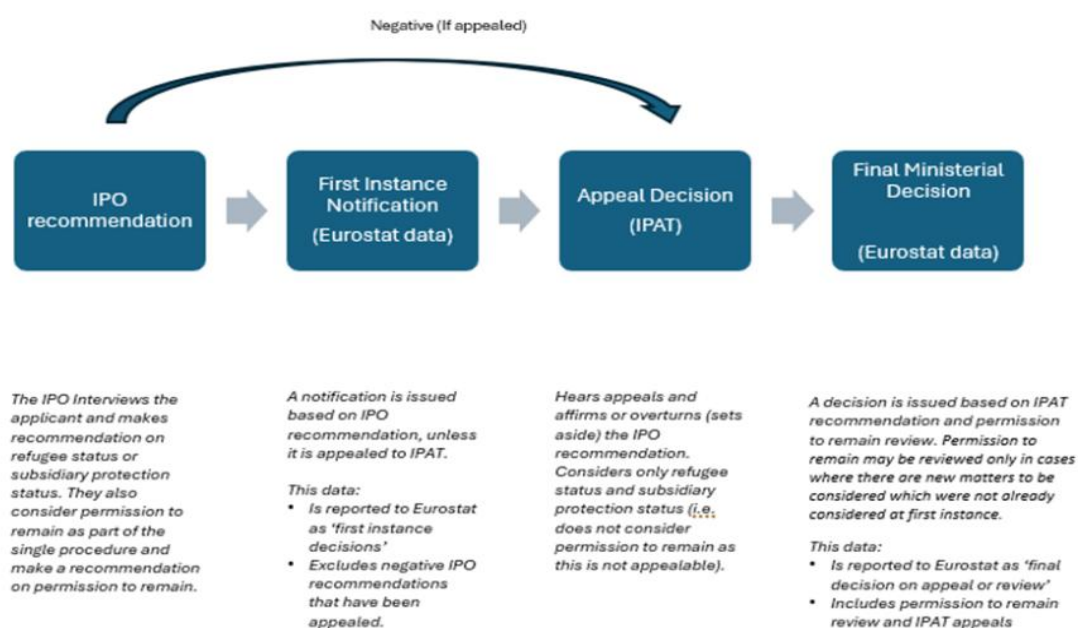


Figure 4.5

Figure 4.6

Figure 4.7, 4.8

Figure 4.9

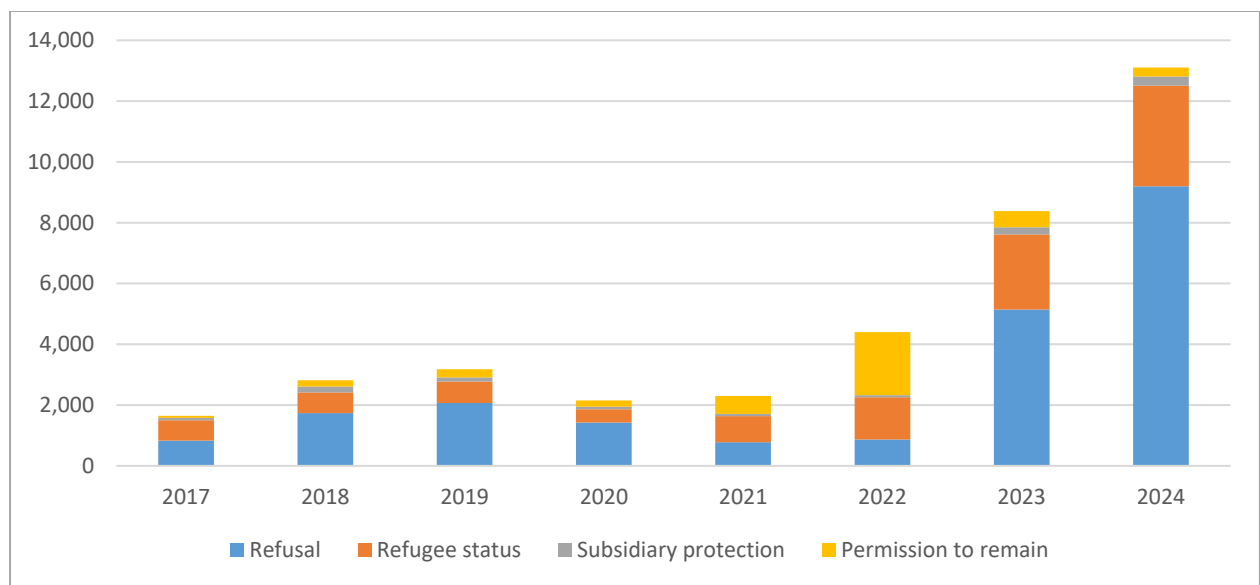
Source: Eurostat.

## 4.1.2 Decisions

### 4.1.2.1 IPO recommendations

Figure 4.5 shows the number of IPO recommendations made and outcomes. It shows a 56% increase in the number of IPO recommendations made in 2024 compared to 2023, with 13,108 recommendations made in 2024. Of these, 9,200 (70%) were refusals. Of the 3,908 positive recommendations, the majority (85%) were for refugee status.

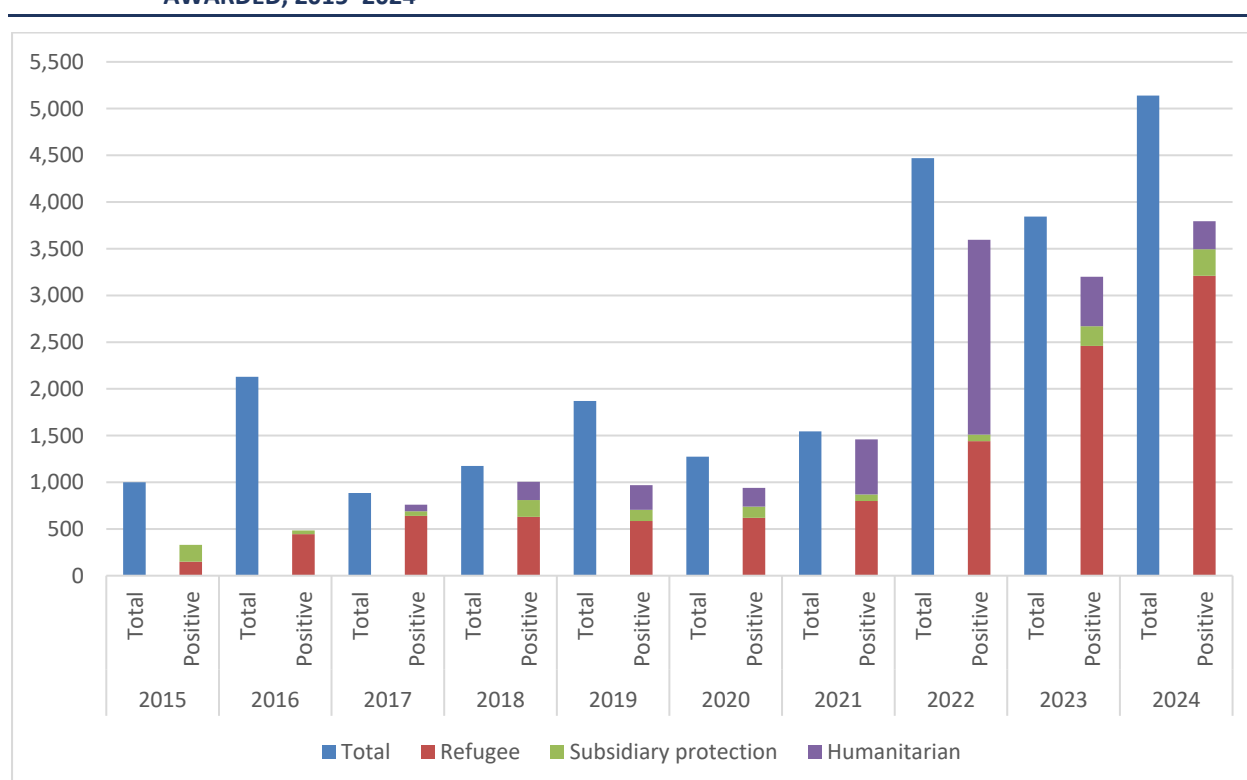


**FIGURE 4.5 IPO RECOMMENDATIONS, 2017–2024**

Source: Correspondence with the IPO, November 2024 and October 2025.

#### 4.1.2.2 First-instance notifications

According to Eurostat, a total of 5,140 first-instance notifications (which Eurostat refers to as first-instance decisions) were made in 2024, of which 74% were positive. This was a 34% increase on the number of first-instance notifications made in 2023, with a lower positive rate (83% in 2023). However, it should be noted that this data does not include negative IPO recommendations that are then appealed (see Box 4.1 above). The difference between data reported in Figure 4.5 and Figure 4.6 indicates that a significant proportion of negative recommendations are appealed – as 13,108 IPO recommendations were made in 2024, compared with 5,140 first-instance notifications. As the data in Figure 4.6 reflects IPO recommendations, refugee status is also shown as the most common positive status awarded at first instance, with 85% of positive decisions receiving this status. Both humanitarian status and subsidiary protection accounted for approximately 8% of positive decisions each. The biggest overall change was the 109% increase in the number of applications rejected but not appealed, compared to 2023.

**FIGURE 4.6 FIRST-INSTANCE NOTIFICATIONS ON INTERNATIONAL PROTECTION APPLICATIONS AND STATUSES AWARDED, 2015–2024**

Source: Eurostat (2024). 'First instance decisions on applications by citizenship, age and sex – Annual aggregated data', extracted 23 June 2025.

Note: Humanitarian status refers to permission to remain, granted under section 49 of the *International Protection Act 2015*. Note that this data does not include negative recommendations from the IPO that were appealed to the IPAT (see text above).

### 4.1.2.3 Appeals

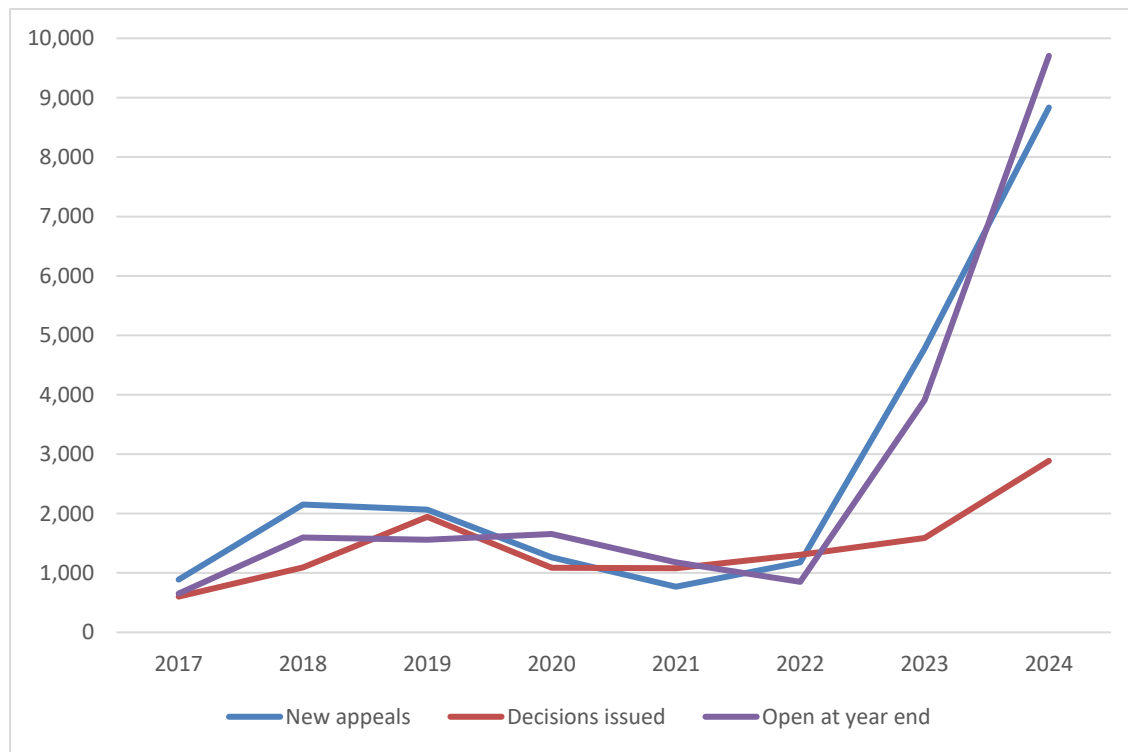
A total of 8,835 new appeals were made to the IPAT in 2024, an 85% increase on 2023 (see Figure 4.7). At the end of 2024, 9,705 appeals were still open, a 148% increase on the number of applications still open at the end of 2023. In 2024, 2,887 decisions were made, an 82% increase from 2023. This is a much higher increase than the 22% increase from 2022 to 2023, reflecting the IPAT's investment in process improvements, staff resources and digitalisation.<sup>72</sup> The IPAT completed 3,098 cases in total, which includes appeals that were withdrawn or deemed withdrawn.<sup>73</sup> Note that these statistics refer not only to appeals made following a negative IPO

72 IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal.

73 Correspondence with the IPAT, October 2025.

recommendation, but also to appeals of Dublin III decisions, inadmissibility and reception conditions, among others.<sup>74</sup>

**FIGURE 4.7 IPAT APPEALS AND DECISIONS, 2017–2024**



Source: IPAT annual reports, 2018–2024.

Appeals for refugee status and subsidiary protection comprised the most frequent type of new appeals received by the IPAT in 2024, at 91%, with all other types accounting for under 5% each. The most infrequent type of appeal was for reception conditions at 0.2% (21 appeals);<sup>75</sup> this includes being excluded from International Protection Accommodation Services (IPAS) accommodation, being refused access to the labour market, or being refused the Daily Expenses Allowance. Note that the Irish Refugee Council indicated that significant delays in the issuing of review decisions in respect of the withdrawal of accommodation meant that applicants whose accommodation had been withdrawn could not proceed to appeal for the loss of reception conditions, which may affect these statistics. They indicated that the first

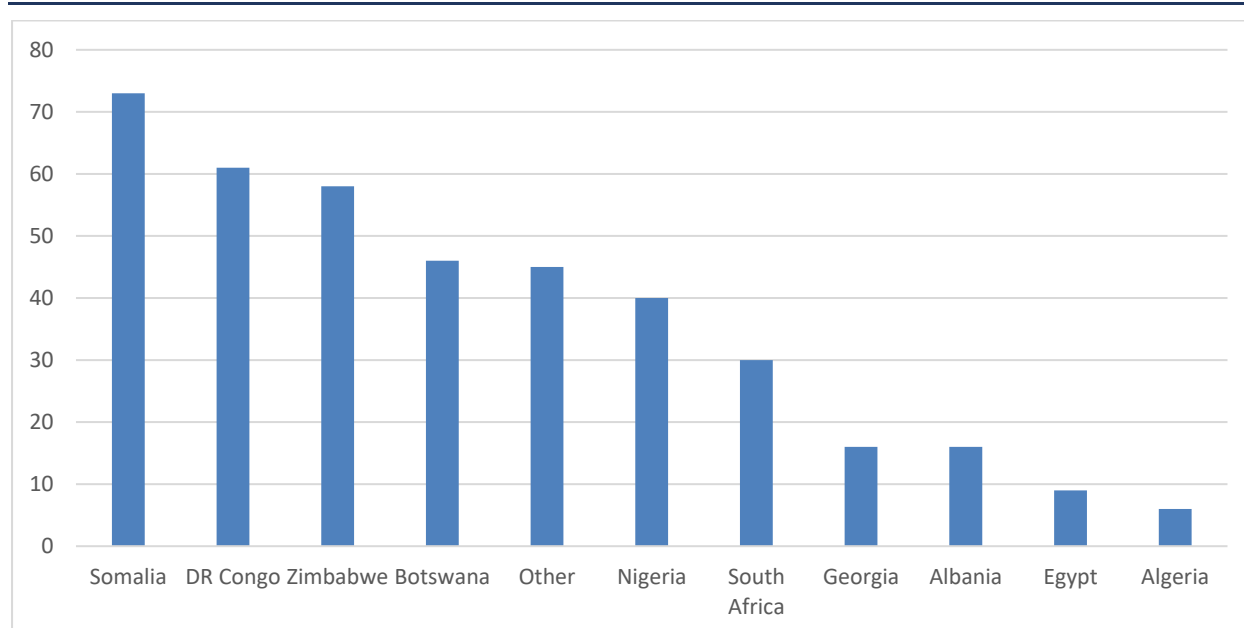
74 IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal; IPAT (2024). *International Protection Appeals Tribunal annual report 2023*, Dublin: International Protection Appeals Tribunal. Note that IPAs can appeal first-time decisions to the IPAT for refugee status and subsidiary protection, inadmissibility, consent for a subsequent application, transfer decisions and reception conditions, including labour market access. The European Union (Dublin System) Regulations 2018; and IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal, p. 11.

75 IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal.

hearing of such a review decision was in March 2025, after an investigation by the Ombudsman in respect of the delay.<sup>76</sup>

The IPAT agreed with the IPO's first-instance recommendation in 72% of international protection appeals in 2024.<sup>77</sup> However, this rate varies significantly depending on the country of origin of the applicant (see Figure 4.8). For example, 73% of appeals relating to Somali applicants resulted in the IPAT overturning the IPO's first-instance recommendation, compared with 6% for Algerian applicants.

**FIGURE 4.8 PERCENTAGE OF INTERNATIONAL PROTECTION APPEALS GRANTED BY THE IPAT BY NATIONALITY IN 2024**



**Source:** IPAT (2025). *International Protection Appeals Tribunal annual report 2024*.

**Note:** This only shows the rates of positive decisions for the countries of origin with the highest number of appeals, and does not necessarily reflect the highest or lowest grant rates among all countries of origin.

#### 4.1.2.4 Final ministerial decisions

According to Eurostat, a total of 2,655 final ministerial decisions were made on appeal or review in 2024.<sup>78</sup> Of these, 35% were positive, a substantial decrease from 2023 (73% positive). The total number of decisions made represents a 109% increase in decision making from 2023, according to this data.

This data (Figure 4.9) refers to decisions issued by the Ministerial Decisions Unit following an appeal to the IPAT, or following a review of permission to remain under

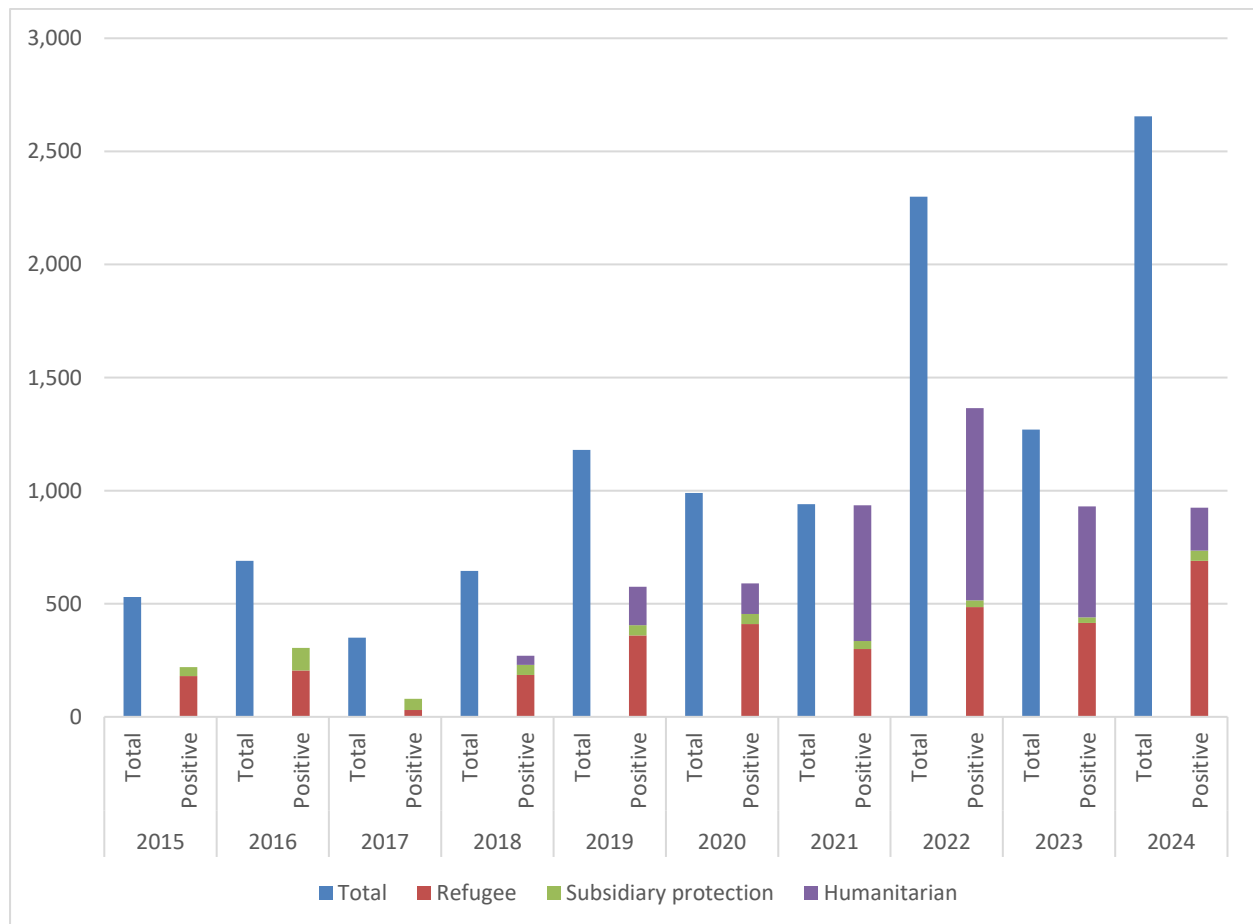
<sup>76</sup> Correspondence with the Irish Refugee Council, October 2025.

<sup>77</sup> IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal..

<sup>78</sup> Eurostat (2025). 'Final decisions in appeal or review on applications by citizenship, age and sex – Annual data', extracted 4 July 2025.

section 49(7) of the *International Protection Act 2015*. This review of permission to remain is only triggered where an applicant had an unsuccessful international protection appeal outcome, and where there are new matters to be considered that were not already considered at first instance.

**FIGURE 4.9 FINAL MINISTERIAL DECISIONS IN APPEAL OR REVIEW, 2015–2024**



**Source:** Eurostat (2025). 'Final decisions in appeal or review on applications by citizenship, age and sex – Annual data', extracted 4 July 2025.

**Note:** Humanitarian status refers to permission to remain under section 49 of the *International Protection Act 2015*.

The distribution of positive decisions differed in 2024 compared to 2023. In 2024, refugee status was the most common positive decision (three in four), whereas humanitarian status had been the most common in 2023.

#### 4.1.3 Processing times

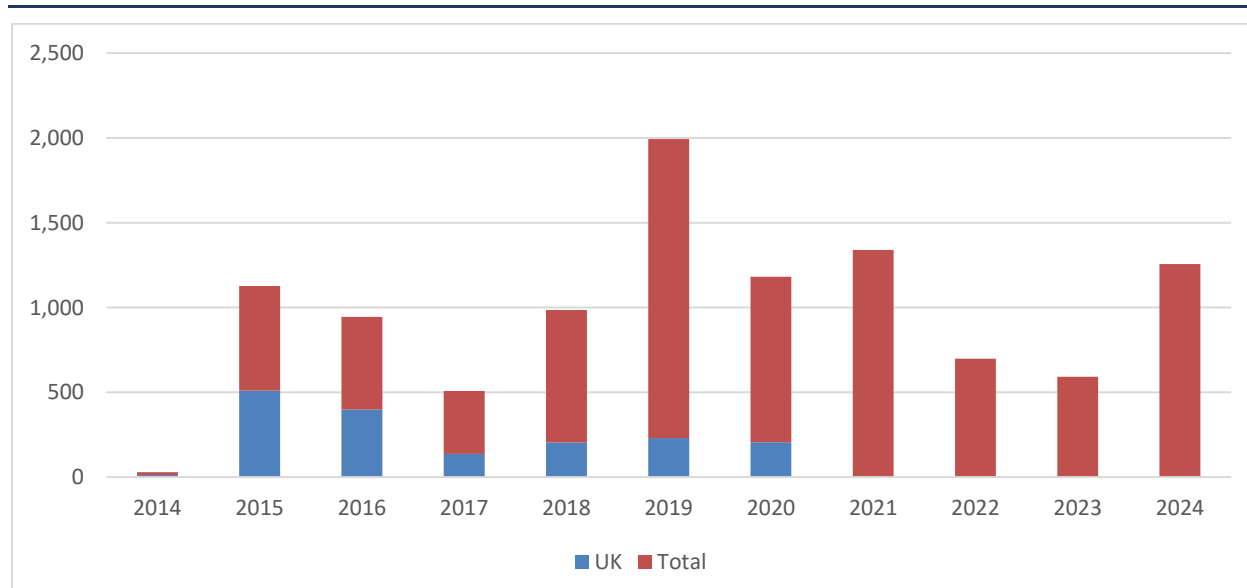
The median processing time for all cases processed to completion in the IPO in 2024 was 16 months, up from 11 months in 2023. The median processing time for cases

processed under the accelerated procedure was three months.<sup>79</sup> The median processing time for cases processed under the prioritised procedure was 14 months.<sup>80</sup> The median processing time for cases that were neither accelerated nor prioritised was 18 months.<sup>81</sup> The overall median processing time for all appeals rose from 5.5 months in 2023 to 10 months in 2024.<sup>82</sup>

#### 4.1.4 Secondary movements

Outgoing Dublin III requests increased for the first time since 2021 with 1,256 outgoing requests made, a 112% increase from 2023 (see Figure 4.10). This refers to IPAs who were first fingerprinted in another country, and then travelled to Ireland. The highest number of requests were made to Greece, at 235.

**FIGURE 4.10 OUTGOING DUBLIN REQUESTS, 2015–2024**



**Source:** Eurostat (2025). 'Outgoing "Dublin" requests by submitting country (PARTNER), type of request, legal provision, sex and type of applicant', extracted 7 July 2025.

**Note:** The UK was no longer part of the Dublin Regulation from 2020.

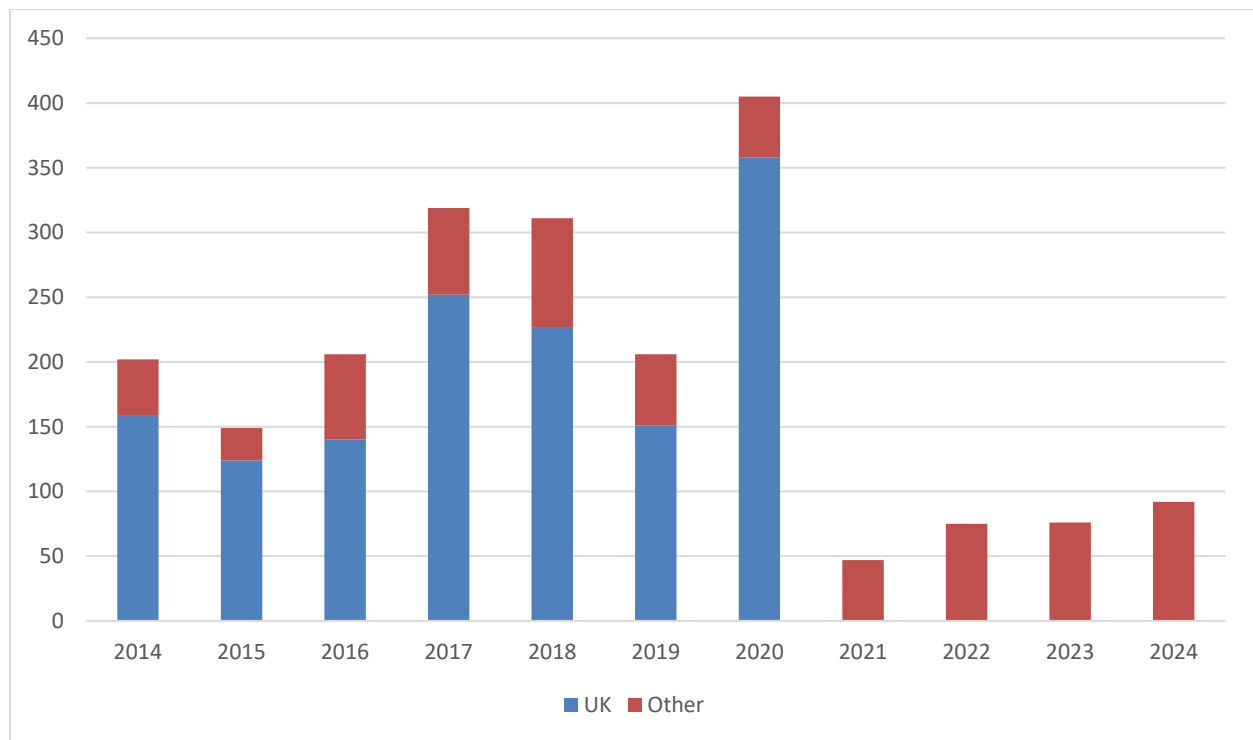
Incoming Dublin requests relate to IPAs who were first fingerprinted in Ireland before travelling to another country. There were 92 incoming Dublin requests received in 2024, an increase of 19 from 2023 (Figure 4.11).

79 The accelerated procedure was introduced in 2022 and applies to applicants from safe countries of origin (as designated under Irish law) and the most common countries in the previous three months (see Sections 4.2.4, 4.2.6, 4.2.7 and 4.2.9 for further information and relevant developments).

80 Prioritisation was first introduced in 2017, and refers to the prioritisation of scheduling of interviews for countries in relation to which applications may be considered likely to be well founded.

81 Correspondence with the IPO, October 2025.

82 IPAT (2024). *International Protection Appeals Tribunal annual report 2023*, Dublin: International Protection Appeals Tribunal; IPAT (2025). *International Protection Appeals Tribunal annual report 2024*, Dublin: International Protection Appeals Tribunal.

**FIGURE 4.11 INCOMING DUBLIN REQUESTS, 2015–2024**

**Source:** Eurostat (2025). 'Incoming "Dublin" requests by submitting country (PARTNER), type of request, legal provision, sex and type of applicant', extracted 7 July 2025.

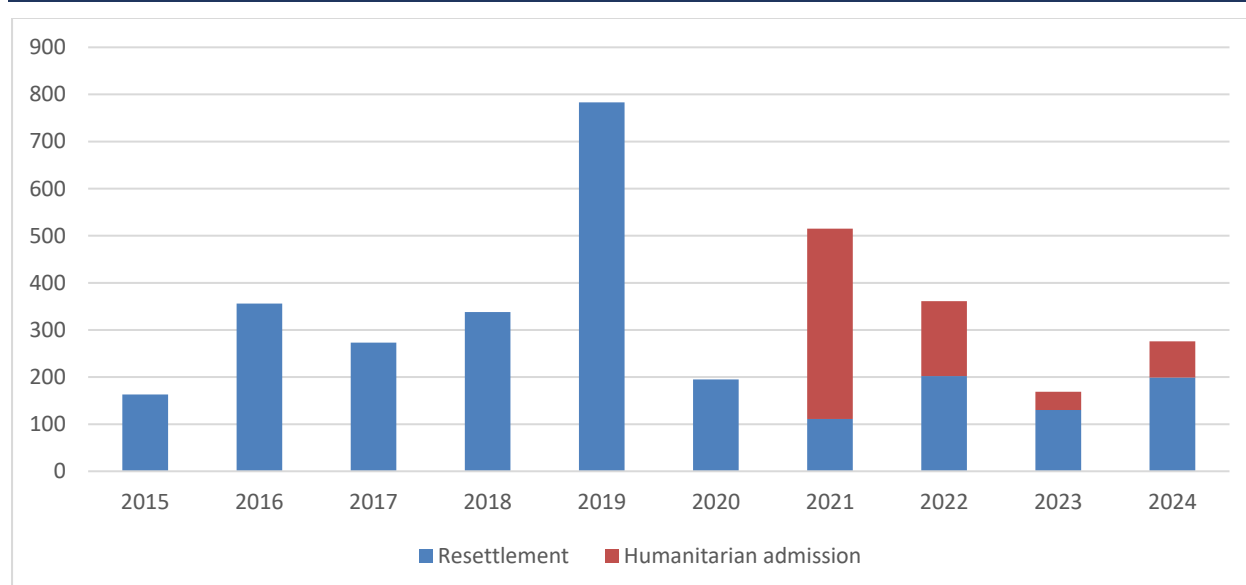
**Note:** The UK was no longer part of the Dublin Regulation from 2020.

#### 4.1.5 Resettlement

There was an increase from 130 to 199 refugees resettled in Ireland in 2024 under the Irish Refugee Protection Programme, following two years of decline (see Figure 4.12). According to Eurostat data, all resettled refugees were Syrian, with an almost equal gender split. Half of the resettled group were minors, and no one was aged over 64.<sup>83</sup> In addition, there were 77 humanitarian admissions under the Afghan Humanitarian Programme, an increase from 39 admissions in 2023.<sup>84</sup> Note that this data does not include complementary pathways, such as the Education Pathways Programme run by the United Nations High Commissioner for Refugees (UNHCR) and Nasc, or the Displaced Talent for Europe (DT4E) programme, run by the International Organization for Migration (IOM) (see Section 4.2.13).

<sup>83</sup> Eurostat (2025). 'Resettled persons by age, sex and citizenship – Annual data (migr\_asyresa)', extracted 7 July 2025.

<sup>84</sup> Correspondence with the Irish Refugee Protection Programme, June and October 2025.

**FIGURE 4.12 RESETTLED PERSONS TO IRELAND (INCLUDING HUMANITARIAN ADMISSIONS), 2015–2024**

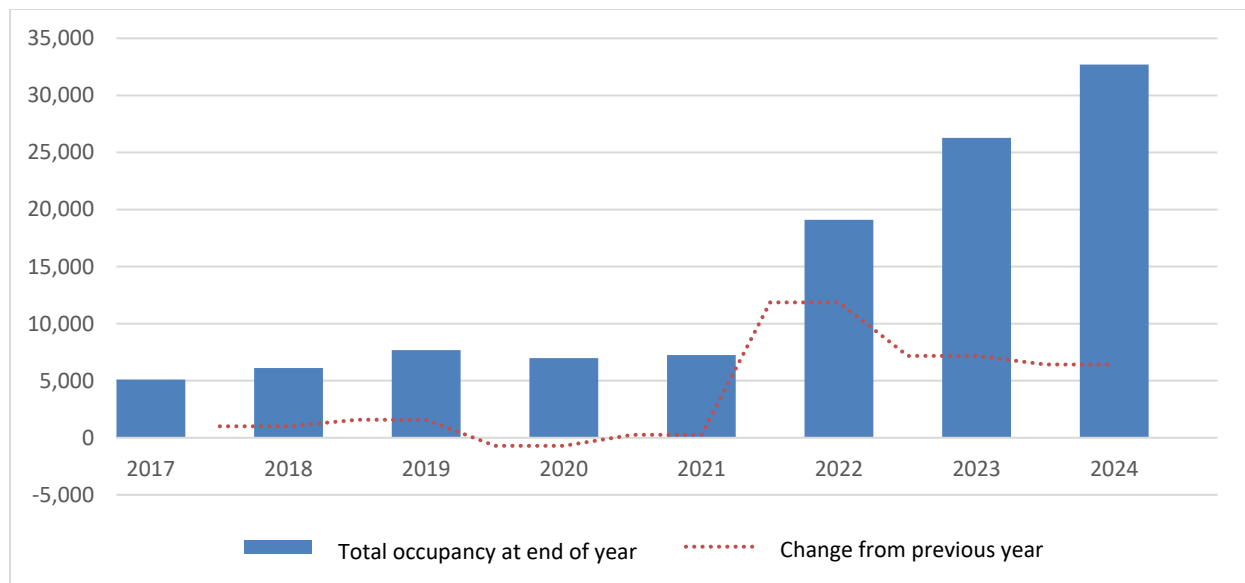
Source: Correspondence with the Irish Refugee Protection Programme, June 2025.

#### 4.1.6 Reception accommodation

IPAS occupancy rates continued to increase in 2024. This was due to continued high numbers of applications for international protection, as well as barriers faced by beneficiaries of international protection leaving IPAS in terms of accessing accommodation (see Murphy and Stapleton, 2024). At the end of December 2024, there were 32,702 people accommodated in IPAS accommodation. This was a 24% increase from December 2023. However, the rate of growth is reducing, with an increase of 38% in 2023,<sup>85</sup> compared with an increase of 164% the year before (Figure 4.13).

85 The 2022 statistic for total occupancy was recorded as 18,534, and the increase from 2022 to 2023 was reported as 42% in the *2023 annual report on migration and asylum: Ireland*. This has been updated to 19,104 in this report due to updated figures from IPAS.



**FIGURE 4.13 IPAS ACCOMMODATION OCCUPANCY AT YEAR END, 2017–2024**

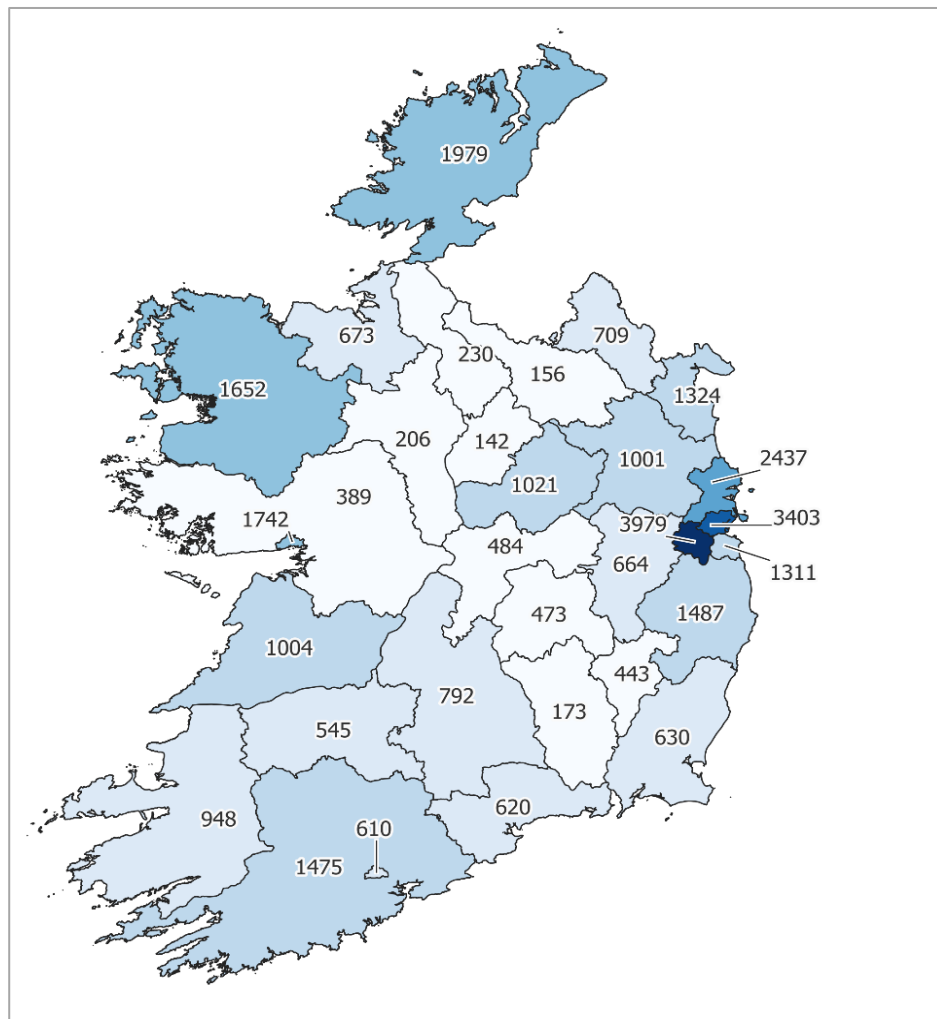
**Source:** DCEDIY (2024). 'IPAS weekly accommodation and arrival statistics 31/12/2024'; EMN Ireland (2024). *Annual report on migration and asylum: Ireland, 2023*.

**Note:** Data as of 29 December 2024.

**Note:** The 2022 statistics for total occupancy was recorded as 18,534 in the 2023 version of this report. This has been updated to 19,104 in this report due to updated figures from IPAS.

At the end of 2024, most residents of IPAS accommodation were in South Dublin County Council, Fingal County Council and Dublin City Council, in that order. Longford County Council had the lowest number of people in IPAS accommodation (See Figure 4.14).

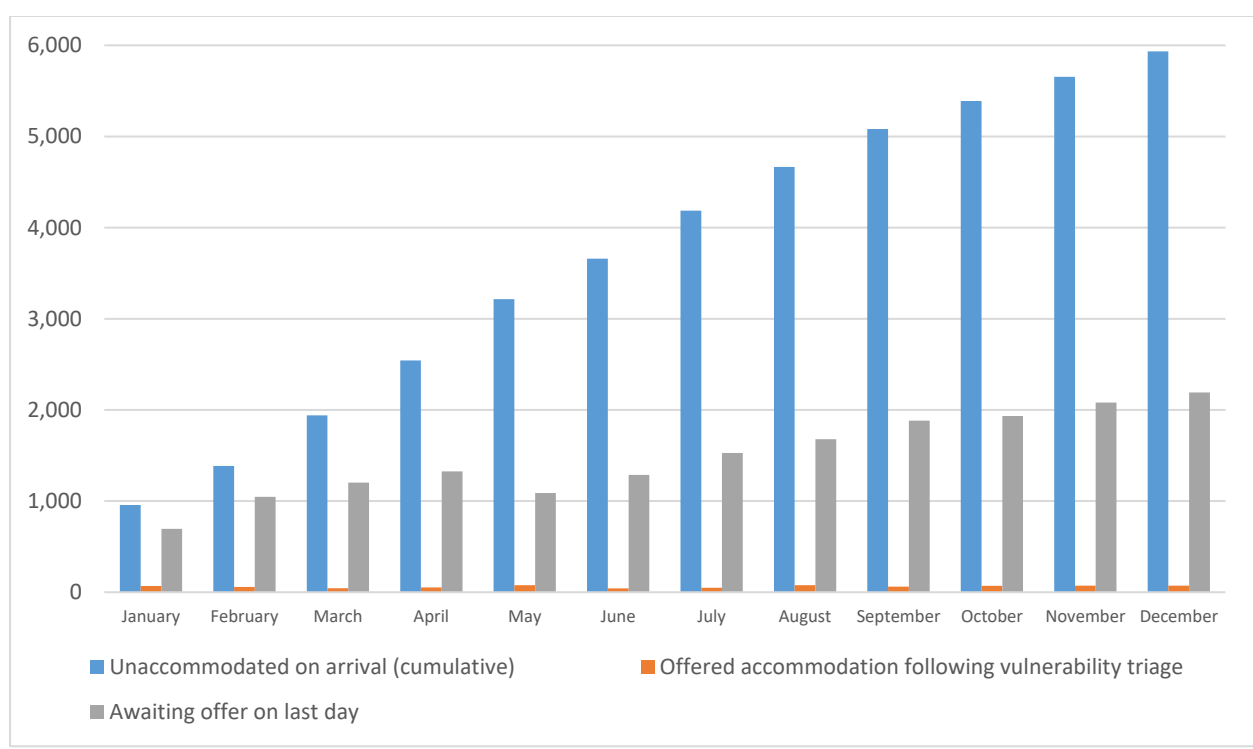
**FIGURE 4.14 NUMBER OF OCCUPANTS IN IPAS ACCOMMODATION BY LOCAL AUTHORITY**



Source: IPAS Weekly accommodation and arrivals statistics 31 December 2024, p. 6, <https://assets.gov.ie>.

**Note:** The data is correct as of 29 December 2024.

The number of applications for international protection continued to place significant pressure on the international protection system. Figure 4.15 shows the number of IPAs not offered accommodation on arrival in 2024. Overall, the total number of applicants who were not provided with accommodation upon arrival was much higher than in 2023. Between July and November 2023, all applicants had been accommodated upon arrival. However, this did not happen at any point during 2024. By the end of 2024, 5,933 people had not been offered accommodation when they first applied for international protection. By the end of the year, 2,192 people were awaiting an offer of accommodation, the highest number of any month that year. Figure 4.15 also shows the number of people who were prioritised for accommodation following a vulnerability triage (see Section 4.2.3), with a total of 745 people offered accommodation following this.

**FIGURE 4.15 NUMBER OF APPLICANTS NOT OFFERED ACCOMMODATION ON ARRIVAL IN 2024**

Source: Correspondence with IPAS, October and November 2025.

Note: 'Unaccommodated on arrival' refers to the total unaccommodated in the year to date by the end of that month.

## 4.2 DEVELOPMENTS

### 4.2.1 Accommodation shortages

Since January 2023, a substantial number of people (mainly males) have not been accommodated upon making an application for international protection, due to the shortage of IPAS accommodation.<sup>86</sup>

In 2024, the High Court ruled in a case taken by the Irish Human Rights and Equality Commission (IHREC) that the Irish State failed in its duty to provide for the basic needs of applicants, breaching their right to dignity under the Charter of Fundamental Rights of the European Union. The case was taken by IHREC regarding the Government's adherence to its obligations towards IPAs who were not provided with accommodation between December 2023 and May 2024.<sup>87</sup> IHREC is an independent public body accountable to the parliament, with a mandate established under the *Irish Human Rights and Equality Commission Act 2014*. Under this Act, they have the power

<sup>86</sup> Annual report on migration and asylum 2023: Ireland; See Figure 4.15 of this report for the 2024 statistics.

<sup>87</sup> *The Irish Human Rights and Equality Commission v. The Minister for Children, Equality, Disability, Integration, and Youth, and ors* [2024] IEHC 493, <https://www.courts.ie> last accessed 17 February 2025; Annual report on migration and asylum 2023: Ireland.

to institute proceedings in their own name, and in 2023, they used this power for the first time since their establishment in relation to this issue.

IHREC had also sought an order requiring the Minister to provide material reception conditions, including accommodation, food, access to basic hygiene facilities and/or sufficient financial assistance to meet the basic needs of applicants. The judge did not grant this remedy, as the judge accepted that the State is endeavouring to uphold the human rights of unaccommodated IPAs and that policing a mandatory remedy would present difficulties.<sup>88</sup> The State appealed the High Court judgment;<sup>89</sup> the Court of Appeal found that the failure to meet the accommodation needs of IPAs placed them in a situation of extreme material poverty, but that this does not automatically breach their right to human dignity.<sup>90</sup> In September 2025, IHREC announced that it is applying to the Supreme Court to seek leave to appeal.<sup>91</sup>

Thirty-five civil society organisations also signed a joint statement regarding homeless IPAs in May 2024. The statement highlighted the State's legal obligations, and warned that homelessness is always unsafe, is detrimental to physical and mental health and can lead to prolonged negative health outcomes. The statement criticised the policy of ordering congregated tents to disperse, stating that homeless applicants congregate for safety. The statement also criticised politicisation of the issue. Recommendations included the provision of accommodation, sufficient financial support, an audit of state-owned land, better communication, reducing an overreliance on civil society organisations, and an all-of-government response to growing areas of inequality.<sup>92</sup> UNHCR Ireland also called on the Government to end homelessness among IPAs, end the use of tented accommodation, eliminate reliance on emergency accommodation for applicants and unaccompanied minors, and apply the National standards<sup>93</sup> to all accommodation provided by the State.<sup>94</sup>

#### 4.2.2 Comprehensive Accommodation Strategy

As reported in this series in 2023, the White Paper to End Direct Provision and to Establish a New International Protection Support Service was reviewed, as it was originally based on an assumption of 3,500 new international protection applications

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- 88 *The Irish Human Rights and Equality Commission v. The Minister for Children, Equality, Disability, Integration, and Youth, and ors* [2024] IEHC 493, last accessed 17 February 2025.
- 89 *The Irish Human Rights and Equality Commission v. The Minister for Children, Equality, Disability, Integration, and Youth, and ors* [2024] IEHC 493, last accessed 17 February 2025.
- 90 IHREC (2025). 'Appeal Court rules international protection applicants experience extreme material poverty but stopped short of breach of dignity', press release, 30 July.
- 91 IHREC (2025). 'Commission seeks permission for Supreme Court appeal in case regarding unaccommodated international protection applicants', press release, 18 September.
- 92 Irish Refugee Council (2024). 'Joint statement by civil society and homeless international protection applicants', press release, May.
- 93 Department of Justice and Equality (n.d.). 'National Standards', available at [www.assets.gov.ie](http://www.assets.gov.ie).
- 94 UNHCR Ireland (2024). 'UNHCR calls on Government to end homelessness among asylum seekers in report to UN committee', press release, 14 February.

each year, which no longer held. In March 2024, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) published a new Comprehensive Accommodation Strategy for International Protection Applicants.<sup>95</sup> This new strategy has two parts, which are due to be implemented in full by 2028: the near-term strategy aims to address the current accommodation shortfall, while the objective of the longer-term strategy is to maintain the fundamental principles of the White Paper, while reforming the system to ensure the State will always be able to meet its international commitments.

The near-term strategy outlines measures to be implemented in 2024 and 2025, which include the conversion of commercial properties, such as empty office blocks, into IPAS accommodation and acquiring HSE and state lands to develop prefabricated and other types of accommodation.

The longer-term accommodation strategy, called the Revised Accommodation Model, predicts that a larger reception capacity is required than that originally proposed in the White Paper on Ending Direct Provision in 2021. The strategy aims to move away from a reliance on private providers, and instead scale up capacity through a multi-strand approach of state-owned accommodation, commercial accommodation and temporary commercial accommodation. The revised accommodation model plans for accommodation in a reception and integration centre to be available to each IPA for at least six months, after which they would move into accommodation centres. During those six months, each applicant would have access to a programme of orientation, integration and supports, as described in the White Paper. State-owned reception and integration centres and accommodation centres would account for 14,000 of the 35,000 beds planned for in total, with the rest to be provided by commercial providers. Applicants would move to accommodation centres after six months if still awaiting a decision on their claim, and would remain in those centres until they exited the protection process. This approach also projects that persons with status would move from their accommodation after a specified period (12 months at the time the plan was published).

The strategy notes the importance of contingency planning as part of a strategic and planned response to the accommodation of IPAs, which would be undertaken via analysis of current and future arrival trends. This would allow the State to project estimated arrivals over the coming 6 to 12 months, and help the system manage demand, including an ability to expand bed capacity quickly, as required.

Furthermore, the plan envisages greater engagement with communities and local representatives, ending the use of the ‘last hotel’ in a town, equitable geographical

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95 DCEDIY (2024). ‘Government agrees comprehensive accommodation strategy for international protection applicants’, press release, 27 March.

distribution of applicants and accommodation locations across the country, and families and the most vulnerable being prioritised for accommodation, with the potential for staffed specialised accommodation for victims of trafficking. The new permanent centres and the accommodation for vulnerable people are expected to be compliant with the national standards.

As part of the new strategy, the Government announced its plan for an International Protection Child Payment for children in the reception system, so as to provide an increase on the weekly allowance for children. The increased payment was seen as an example of how children's rights were at the heart of the model introduced by the White Paper.<sup>96</sup> Although the Children's Rights Alliance stated that they were informed this increase would happen in the first quarter of 2024,<sup>97</sup> at the time of publication, this increase had not yet commenced. The Children's Rights Alliance criticised this, stating that funding was allocated in both Budget 2024 and Budget 2025 for this payment, and highlighting the need to provide these children with support in the face of the cost of living crisis, as has been provided to children in the general population.<sup>98</sup>

The Irish Refugee Council welcomed some elements of the strategy but raised concern about the lack of detail, the dependency on unconfirmed funding and a lack of urgency about ending the homelessness crisis. They also criticised the removal of the 'in the community style' accommodation envisaged by the White Paper.<sup>99</sup>

#### 4.2.3 Vulnerability assessments paused and partially resumed

A vulnerability assessment is a process carried out by IPAS to determine if, by virtue of a particular category of vulnerability, an IPA is deemed to have any special reception needs, what those needs are and what actions are required by IPAS to address those needs.<sup>100</sup> Vulnerability assessments are legally required under the *European Communities (Reception Conditions) Regulations 2018*, which transpose the Reception Conditions Directive. A vulnerable person includes any minor, a person with a disability, an elderly person, a pregnant person, a single parent of a minor, a victim of human trafficking, a person with a serious illness, a person with a mental disorder, and

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- 96 DCEDIY (2024). 'Government agrees comprehensive accommodation strategy for international protection applicants', press release, 27 March, last accessed 12 February.
  - 97 Children's Rights Alliance (2024). *Report Card 2024 – Is Government keeping its promise to children?*, Dublin: Children's Rights Alliance, p. 216.
  - 98 Children's Rights Alliance (2025). *Report Card 2025 – Is Government keeping its promise to children?*, Dublin: Children's Rights Alliance, p. 270.
  - 99 Irish Refugee Council (2024). 'Irish Refugee Council express concern over pact opt in and international protection accommodation plan and raise serious alarm about risk of homeless women and children', press release.
  - 100 European Communities (Reception Conditions) Regulations 2018, S.I. No. 230 of 2018.

a person who has been subjected to torture, rape or other form of serious psychological, physical or sexual violence.<sup>101</sup>

At the end of January 2021, a pilot project to assess the vulnerability of applicants was established. A later version of the pilot saw vulnerability assessment questionnaires provided to all individuals making an application for international protection. The significant increase in numbers of arrivals from 2022 onwards put pressure on IPAS resources. As a result, vulnerability assessments were changed to a self-filled questionnaire or referral in 2023. Due to continued pressure, IPAS decided in March 2024 to temporarily suspend vulnerability assessments and to procure an external contractor to manage them. Following the suspension, vulnerability assessments recommenced for families applying for international protection on 11 November 2024. This includes families who were queued for assessment at the time of the suspension.<sup>102</sup> An external service provider (Good People Homecare Ltd) has been contracted by IPAS to carry out vulnerability assessments on their behalf.<sup>103</sup> IPAS indicated that vulnerability assessments resumed for single females and couples in 2025.<sup>104</sup>

Throughout this period, support remained available for IPAs in IPAS accommodation centres who are not receiving vulnerability assessments through a number of channels, including the IPAS website and by contacting IPAS via the online helpdesk. Due to the inability to accommodate all single males who make an application for international protection, a triaging process continued to ensure that the most vulnerable of those were prioritised for accommodation.<sup>105</sup> The external contractor is now also responsible for triaging.<sup>106</sup> Where a vulnerability is notified to IPAS outside of the vulnerability assessment or vulnerability triage process, IPAS provides supports or transfers via existing mechanisms, such as onward referral, the protocol for medical transfers and engagement with the HSE.<sup>107</sup>

Media reports quoted concern among non-governmental organisations (NGOs) and others in relation to the gap in vulnerability assessments, including Nasc and Catherine Murphy T.D., who questioned the logic of both outsourcing and pausing assessments while they were seeking a contractor.<sup>108</sup> IPAS indicated that vulnerability assessments

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101 Regulation 8 contains this definition; European Communities (Reception Conditions) Regulations 2018, S.I. No. 230 of 2018.

102 IPAS (2024). 'Support services', 24 December, last accessed 6 January 2025.

103 DCEDIY (2024). 'Response to a parliamentary question 34964/24', 9 September.

104 Correspondence with IPAS, October 2025.

105 IPAS (2024). 'Support services', 24 December, last accessed 6 January 2025.

106 Correspondence with DCEDIY, May 2025.

107 Correspondence with IPAS, May 2025 and October 2025.

108 Mahon, B. (2024). 'Asylum seekers who may have 'mental disorders' not being screened by State', 14 May, Extra.ie.

were paused as resources were redirected to the vulnerability triage process, and that outsourcing was to ensure sufficient resourcing to this obligation.<sup>109</sup>

#### 4.2.4 Faster international protection processing

Several changes were made during 2024 to improve processing times in the international protection process. Significant additional resources were allocated in 2024 to improve the speed of the end-to-end international protection process. This included plans to hire approximately 400 additional staff between June 2024 and June 2025. Budget 2025 also provided a €25 million package for the immigration system, with funding directed towards Immigration Service Delivery (ISD), the IPO, the IPAT and the Legal Aid Board.<sup>110</sup>

To further speed up processing and enable the IPO to transition to meet the faster processing requirements of the EU Pact on Migration and Asylum, the Minister of Justice expanded accelerated processing in 2024 beyond safe countries of origin.<sup>111</sup> She placed applications from the countries of origin with the highest number of applicants in the previous three months into the accelerated procedure. At the time of the announcement, these were Jordan and Nigeria.<sup>112</sup>

Several countries were also added to the safe countries list, and therefore became subject to the accelerated process (see Section 4.2.6).

#### 4.2.5 Digitalisation and modernisation in the international protection system

Following on from the IPO's move to a 'digital first' model in September 2023, a number of changes took place across the area of international protection to modernise processes by making them digital where possible. During 2024, the IPO worked to move applications online, which was a goal of the International Protection Modernisation Programme 2023–2024.<sup>113</sup> By the end of 2024, all applicants, except for unaccompanied minors, were able to register and complete their application digitally on an online customer portal. Families with children under 18 must apply at Citywest Transit Hub; other applicants can do so at the IPO. Applicants can use their own phones to create a profile on the external customer portal, though the actual application needs to be made by using iPads made available in the IPO and Citywest.

109 Correspondence with IPAS, October 2025.

110 Department of Justice (2024). 'Minister McEntee updates Government on increased resourcing for international protection system', 18 June, last accessed 14 February 2025; Department of Justice (2024). 'Response to parliamentary question 40802/24', 10 October.

111 Department of Justice (2024). 'Minister McEntee announces expansion of accelerated processing for international protection applicants', press release, 29 July, last accessed 14 February 2025.

112 Department of Justice (2024). 'Minister McEntee announces expansion of accelerated processing for international protection applicants', press release, 29 July, last accessed 14 February 2025.

113 IPO (2023). 'International Protection Modernisation Programme 2023–2024', last accessed 14 February 2025.



Applicants are assisted by IPO staff, interpreters and cultural mediators, and free Wi-Fi is available for this purpose.<sup>114</sup>

To support another goal of the modernisation programme – making the IPO fully paperless – the processing of applications for IPAs seeking access to the labour market has been transferred to the IPO and is now handled through a new online application system.<sup>115</sup> This change aimed to provide a more streamlined process and shorter processing times for all new applicants.<sup>116</sup>

Following the introduction of remote hearings in the IPAT in 2021,<sup>117</sup> the IPO began interviewing some IPAs remotely on a pilot basis in 2024. The IPO is now considering introducing online interviews for all categories of applicants.<sup>118</sup> However, in some cases there may still be physical interviews.<sup>119</sup> The stated objectives of remote interviews are: to reduce the need for all applicants to travel to Dublin; to allow applicants to take part from any location that suits them as long as it meets specified criteria; to increase processing capacity and allow applicants to be invited to interview faster, and to enable the IPO to transition to meet the faster processing requirements of the EU Pact on Migration and Asylum by 2026.<sup>120</sup>

Continuing the ‘digital first’ approach, the IPO closed their customer service contact line, redirecting anyone wishing to contact them to various email addresses and a chatbot available on their website.<sup>121</sup> Calls were monitored for a period of time late in 2023, to determine their relevance and the level of resources used. Findings from this exercise showed they were heavy on staffing resources for queries mostly unrelated to the IPO.<sup>122</sup> However, applicants can still make contact by phone where necessary, including contacting an access officer where supports are required for persons with a disability to access the IPO services.<sup>123</sup> This has improved response times and freed up internal resources to promptly deal with the more complicated customer queries received.<sup>124</sup>

In 2024, the IPAT undertook a review of its operational processes to identify opportunities for improved efficiency and service delivery. The tribunal advanced several modernisation and digitalisation initiatives. Following a successful pilot in late

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114 Correspondence with Department of Justice, February 2025; IPO, ‘What’s new’, <https://www.ipo.gov.ie>, last accessed 14 February 2025; IPO, ‘Implementation of paperless procedure’, last accessed 14 February 2025.

115 IPO (2023). ‘International Protection Modernisation Programme 2023–2024’, last accessed 14 February 2025.

116 Department of Justice (2024). ‘Response to parliamentary question 26636 /24’, 20 June.

117 IPAT (2021). *COVID-19 – Latest update*, 11 October

118 IPO, ‘What’s new’, <https://www.ipo.gov.ie>, last accessed 14 February 2025.

119 Correspondence with the Department of Justice, February 2025.

120 IPO, ‘What’s new’, <https://www.ipo.gov.ie>, last accessed 14 February 2025.

121 IPO, ‘Important Information about phone line’, last accessed 14 February 2025.

122 Correspondence with Department of Justice, February 2025.

123 IPO, ‘Contact Us - International Protection Office’, last accessed 14 February 2025.

124 Correspondence with the IPO, February 2025.

2023, it introduced paperless appeal files. All tribunal members completed training on the use of paperless files.

Additional achievements in 2024 included:

- Launch of a paperless tribunal system;
- Establishment of a correspondence and submissions team to streamline case-related communications;
- Introduction of a secure share file initiative to facilitate document sharing with legal representatives;
- Implementation of remedies, fixes and training to improve audio–video hearings and Webex functionality;
- Deployment of a revised late decision monitoring system;
- Adoption of DocuSign and a more efficient quality control process;
- Updating and online reinstating of the tribunal’s decisions archive system;
- Expanded use of electronic documents (e-docs) for tribunal members’ electronic files; and
- Upgrading of IT equipment in hearing rooms to support hybrid and digital hearings.<sup>125</sup>

#### 4.2.6 Additions to the safe countries list

In 2024, Algeria, Botswana, Brazil, Egypt, India, Malawi and Morocco were added to the designated safe country list. Applicants from these countries will, therefore, be processed under the accelerated process, which aims to deliver first-instance decisions in less than 90 days. While people from safe countries are still entitled to apply for international protection and have their application considered thoroughly, they will have to submit grounds outlining why the country is not a safe country of origin in their particular circumstances and in terms of their eligibility for international protection.<sup>126</sup>

Under Irish and EU law, the Minister for Justice may only designate a country as safe, if there is generally no persecution, torture, or inhuman or degrading treatment in that state. As part of a call for submissions in relation to the designation of the countries as safe, the Irish Refugee Council made a submission outlining reasons why the proposed countries might not be safe. They outlined dangers for specific groups, such as women and LGBT+ people. The Irish Refugee Council also argued that Brazil, Egypt,

125 Correspondence with the IPAT, October 2025.

126 Department of Justice (2024). ‘Minister McEntee announces new additions to safe countries of origin list’, last accessed 14 February 2025; *International Protection Act 2015* (Safe Countries of Origin) (Amendment) Order 2024, S.I. No. 32 of 2024; *International Protection Act 2015* (Safe Countries of Origin) (Amendment) (No. 2) Collect Order 2024, S.I. No. 327 of 2024.

India, Malawi and Morocco have worrying histories of gender-based violence, while Brazil, Egypt, Malawi and Morocco are unsafe for members of the LGBT+ community, among other issues.<sup>127</sup>

Amnesty International also criticised the addition of Egypt to the list, as they state that Amnesty International has consistently documented the use of torture and other ill-treatment, forced disappearances and arbitrary detention in Egypt. Amnesty International also noted that they oppose the safe countries list overall, arguing that they discriminate on the basis of nationality and undermines the right to a fair and effective asylum procedure.<sup>128</sup> The Irish Refugee Council also raised concern about the use of accelerated procedures more broadly, specifically in relation to cases of applicants unable to seek legal advice prior to undergoing a personal interview and cases where applicants were also not advised of the right to seek legal advice. In addition, they criticised the fact that neither vulnerable people nor people who are street homeless are exempt from the faster process. The IPO responded that the 2015 Act does not contain a legislative basis for the pausing of international protection applications and, moreover, asserted that if a pause were to be introduced this would be detrimental to the interests of such applicants.<sup>129</sup>

#### 4.2.7 Pausing of decisions for Syrians

After the overthrow of President Bashar al-Assad's regime, the IPO temporarily paused the issuing of decisions on applications for international protection from Syria in December 2024.<sup>130</sup> According to the Department of Justice, Home Affairs and Migration, this pause allows time to assess the rapidly changing situation inside Syria and to gather reliable information on current conditions to inform more accurate, long-term decision making for asylum claims. The applications are being processed, but only to a certain point. The current pause is imposed on the issuing of decisions and the making of a claim for international protection is not affected.<sup>131</sup>

IHREC expressed concern, citing the ongoing instability in the region and the legal entitlement of Syrian applicants to receive a decision on their application. IHREC subsequently wrote to the Minister for Justice asking her to clarify the legal basis for pausing applications,<sup>132</sup> while the Irish Refugee Council pointed out that the IPO have previously insisted that the legislation does not allow applications to be temporarily paused.<sup>133</sup> The Irish Refugee Council requested that applicants be given a timeframe

127 The Irish Refugee Council (2024). 'Safe country of origin submission', <https://www.irishrefugeecouncil.ie>.

128 Amnesty International (2024). 'Amnesty International Ireland appalled at intention by Irish government to place Egypt on 'safe countries of origin' list', press release, 2 July.

129 Irish Refugee Council (2025). *AIDA country report: Accelerated procedure*.

130 Correspondence with Department of Justice, February 2025.

131 Correspondence with the Department of Justice, Home Affairs and Migration, October 2025.

132 IHREC (2024). 'Commission deeply concerned at State's temporary pause on Syrian IPAS applications', press release, 19 December.

133 Irish Refugee Council (2025). *AIDA country report: Accelerated procedure*.

as to when the issuing of decisions will resume.<sup>134</sup> The issuing of decisions remains paused at the time of publication.

#### 4.2.8 Health Information and Quality Authority inspections

As of January 2024, the Health Information and Quality Authority (HIQA) assumed the responsibility for monitoring and inspecting of certain IPAS centres against the National Standards for Accommodation Offered to People in the Protection Process.<sup>135</sup> This was an objective under the White Paper on Ending Direct Provision.<sup>136</sup> HIQA's role applies only to permanent centres, as emergency accommodation centres are subject to separate temporary contractual arrangements.<sup>137</sup> In total, HIQA carried out 60 inspections of 51 centres during the year, finding varying levels of compliance.<sup>138</sup> These inspections have a focus on safeguarding. HIQA found that many centres were of a good standard and were safe, of a high quality, and that they promoted and protected the rights of residents. However, according to HIQA, there is considerable room for improvement in areas including governance and management, risk management and safeguarding. HIQA found that in some centres not all staff had been Garda vetted. There was also an absence of safeguarding policies in a number of centres, particularly in relation to the safeguarding of vulnerable adults.<sup>139</sup>

According to IPAS, all providers subject to HIQA inspection reports are required to produce compliance plans to rectify non-compliance. In addition, IPAS has a child safeguarding statement, a child protection policy (outlining the duty of all centres to have an appropriate child safeguarding statement), and have developed a policy for adult safeguarding. IPAS has appointed a lead for child safeguarding and a lead for adult safeguarding.<sup>140</sup>

The Irish Refugee Council have called for HIQA's remit to be expanded beyond permanent centres, citing their experience of the most difficult conditions being within 'emergency' and 'pre-reception' facilities and the fact that most people are

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134 Irish Refugee Council (2024). 'Irish Refugee Council's statement on pausing of Syrian protection applications'.

135 Monitoring compliance with National standards for accommodation centres complies with Article 28 of Directive 2013/33/EU; Department of Justice and Equality (2021). 'National standards for accommodation offered to people in the protection process', last accessed 7 January 2025.

136 Government of Ireland (2021). White Paper to End Direct Provision and to Establish a New International Protection Support Service, 26 February.

137 HIQA (2024). *Report of an inspection of an International Protection Accommodation Service centre*, Dublin: Health Information and Quality Authority.

138 HIQA (2025). 'HIQA publishes overview report on first year of inspecting International Protection Accommodation Service centres'.

139 HIQA (2025). 'HIQA publishes overview report on first year of inspecting International Protection Accommodation Service centres'.

140 Correspondence with the IPAS, February 2025.

accommodated in these types of centres.<sup>141</sup> As of February 2025, IPAS operated 273 properties across the State, of which just 49 were permanent centres.<sup>142</sup>

#### 4.2.9 Updated safe country designation process

In March 2024, the High Court found that the statutory scheme used to designate a safe third country under section 72A of the *International Protection Act 2015* was legally flawed as it failed to require the Minister to be satisfied that a person would not be subjected to serious harm when returned to that country. The practical effect of this decision was that the State was unable to return people to the UK in cases where the UK is deemed to be the appropriate country to process any application for protection.<sup>143</sup> An amendment to Ireland's *International Protection Act 2015* provided for the risk of serious harm to be reviewed when considering a transfer to a safe third country. It also allows for family and private life rights to be considered in the context of issuing a return order. While the changes allowed for the resumption of returns to the UK, the actual objective of the change was to ensure that the process for the designation of safe third countries was legally robust.<sup>144</sup> The case is being appealed by the State. See Section 4.4.6 for a summary of the related High Court case.

#### 4.2.10 Income assessment for the Daily Expenses Allowance

The Daily Expenses Allowance is a weekly social welfare payment for people who have applied for international protection in Ireland and who live in, or are on a waiting list for, state-provided accommodation. The maximum rate at the end of 2024 was €38.80 per adult and €29.80 per child. Higher rates are available for applicants who cannot be accommodated by IPAS.<sup>145</sup> In May 2024, the Government announced a review of entitlements of IPAs. As part of this review, in June 2024, the Department of Social Protection introduced an income assessment for the allowance.<sup>146</sup> The income assessment is applicable to people aged 18 years or older and assesses income from employment, self-employment and social welfare payments. The payment will no longer be provided where an individual has an income of more than €125 per week for a combined total of 12 weeks or more. If a person's income is above €60 and below €125 per week, their reduced rate will be based on their earnings. If a person's income is €60 or less per week, their payment will not be affected.<sup>147</sup>

141 Irish Refugee Council (2025). *AIDA country report: Types of accommodation*, <https://asylumineurope.org>.

142 IPAS (2025). 'IPAS weekly accommodation and arrivals statistics'.

143 Department of Justice (2024). 'Minister McEntee secures Cabinet approval for legislative change to allow resumption of returns to the UK', press release, 30 April.

144 Department of Justice (2024). 'Minister McEntee secures Cabinet approval for legislative change to allow resumption of returns to the UK', press release, 30 April.

145 Department of the Taoiseach (2024). 'Statement on behalf of the Government of Ireland', 14 May, last accessed 14 February 2025.

146 Correspondence with Department of Social Protection, October 2025.

147 Department of Social Protection, 'Daily Expenses Allowance', [www.gov.ie](http://www.gov.ie), last accessed 14 February 2025.

The Minister for Social Protection stated that she received a report from the Comptroller and Auditor General recommending the payment be means tested, which is the standard approach for social welfare payments.<sup>148</sup>

#### 4.2.11 Pregnancy protocol

IPAS adopted an internal pregnancy protocol and distributed it to all centres managed by IPAS and other IPAS stakeholders.<sup>149</sup> This protocol sets out standardised procedures for ensuring that all pregnant IPAs are accommodated with sufficient space for their increased family size between 12 and 28 weeks of pregnancy.<sup>150</sup>

#### 4.2.12 Health model for refugees and applicants seeking protection

The Government provided €50 million in 2024 to further develop the delivery model for refugees and applicants seeking protection.<sup>151</sup> Due to the high demand for services provided by this model, by the end of 2024 it had been confirmed that this funding would be made recurrent in order to allow service delivery to continue and to develop the model further.<sup>152</sup> The funding was allocated primarily across the Primary Care Reimbursement Service, primary care, social inclusion and acute hospital services.<sup>153</sup> This model was originally signed off by the HSE in March 2023 and was rolled out later that year.<sup>154</sup>

The HSE developed the model to provide a flexible local healthcare response to address the unmet needs of beneficiaries of temporary protection and IPAs. This approach can respond to areas of higher demand, different types of accommodation provision and local health service factors. It includes health assessments, catch-up immunisation clinics, additional GP sessions where local capacity challenges are identified and the provision of medical cards for eligible arrivals.<sup>155</sup>

#### 4.2.13 Other developments

In 2024, the first two people arrived under the Displaced Talent for Europe (DT4E) programme. This programme is led by IOM and implemented by a range of partners, and focuses on linking refugees and displaced individuals with employers trying to fill skills shortages. The individuals who arrived in 2024 will work for two Irish employers in the public healthcare and private telecommunications sectors.<sup>156</sup>

148 McCurry, C. (2024). 'Humphreys confirms changes to payments for international protection applicants', [breakingnews.ie](https://www.breakingnews.ie).

149 Correspondence with DCEDIY, February 2025.

150 Correspondence with DCEDIY, February 2025.

151 Department of Justice (2024). 'Response to parliamentary question 9658/24', 13 February.

152 Correspondence with the HSE, March 2024.

153 Department of Justice (2024). 'Response to parliamentary question 9658/24', 13 February, <https://www.hse.ie>.

154 Correspondence with the HSE, March 2024.

155 Department of Justice (2024). 'Response to parliamentary question 26636/24', 20 June.

156 IOM (2024). 'Dublin welcomes first individuals under DT4E programme', press release, 15 March.

## 4.3 RESEARCH

### 4.3.1 Access to justice for international protection applicants

Doras published a report on the experiences of IPAs in Ireland who have been victims of crime and their interaction with the criminal justice system.<sup>157</sup> The research used a participatory, peer-led approach. It was based on interviews, surveys and focus groups. The research highlighted significant barriers that IPAs face when seeking support or access to justice. These included: a fear that there could be a negative effect on their international protection claim; a lack of knowledge about their rights and awareness of specialised services; difficulty in accessing specialised supports, especially in certain areas; language barriers and the limited availability of interpreters; a lack of trust in An Garda Síochána; a lack of follow-through by individual gardaí; living in IPAS accommodation; stigma; a fear of retaliation; and dependency on abusers.

It outlines support gaps and provides practical recommendations for changes to policy and practice. These include:

- providing information to IPAs on arrival about their rights;
- carrying out full vulnerability assessments of all groups on arrival and following their recommendations;
- providing training and awareness for all staff in accommodation centres;
- streamlining the support service infrastructure;
- sufficiently funding supports;
- expanding the pilot of face-to-face support for victims of crime;
- raising awareness among Gardaí of their role and training them in intercultural communication;
- ensuring that Gardaí provide information on victim support services and maintain communication; providing high-quality interpretation;
- embedding trauma awareness and intercultural training in relevant support services;
- providing information on the process and timelines after reporting a crime; and
- ensuring the Victims' Rights Directive is fully implemented.

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157 Kinlen, L., F. Alo, A. Kamal, M. Ralekoala, M. Mohanoe, O.L. Adeboyeku (2024). *Access to justice for international protection applicants in Ireland*, Limerick: Doras.

### 4.3.2 Research assessing care deficits in Ireland's international protection accommodation system

Felicity Daly and Jacqui O’Riordan published an article presenting findings from 11 interviews with IPAs residing in Ireland’s international protection accommodation system. This article details care deficits before, during and after the COVID-19 pandemic.<sup>158</sup> They also examine how care is discussed within Irish policy documents concerned with IPAs’ health and wellbeing. The paper emerges from a research project called CareVisions, which explores the care experiences of marginalised groups in Irish society in the context of the COVID-19 pandemic and beyond. The authors argue that IPAS centres did not properly adapt to the pandemic and failed to protect the health and wellbeing of IPAs given pre-existing care deficits. The paper argues that an ethic of care practiced for, and with, IPAs must ensure they are not re-traumatised, and their health disparities are not exacerbated during public health crises and into the future.

### 4.3.3 Protests related to international protection

Barry Cannon and Shane Murphy published an article examining the narratives around protests relating to international protection accommodation. They analysed 144 media articles to identify protesters’ issues and desires, and how they feel about far-right involvement in such protests. Their article looked at people both protesting in support of, and against, IPAS accommodation in the State. They found that complaints about security, access to services and a lack of consultation were the main concerns among those protesting against such accommodation. They found that many protesting IPAS accommodation distanced themselves from the far right, but also repeated far-right narratives. Similarly, they found that those supporting international protection accommodation reject the far right while recognising the validity of many of the structural and political complaints. The authors considered the ‘far right’ to be people who may travel the country to protests focusing on the broader national context, often leaning on conspiracy theories with themes such as foreignisation, the threat of the Global South, and Irish people being replaced by immigrants. The authors suggest that such distinction merits further research to separate far-right narratives from legitimate grievances around structural and resource issues.<sup>159</sup>

### 4.3.4 Narratives and assumptions about integration and resettlement

Karen Smith published an article analysing narratives and assumptions around refugee resettlement in Ireland.<sup>160</sup> The research is based on focus groups and interviews with

158 Daly, F. and J. O’Riordan (2024). ‘Assessing care deficits in Ireland’s international protection accommodation system: Lessons learned in COVID-19 and beyond’, *Journal of Migration and Health*, Vol. 10.

159 Cannon, B. and S. Murphy (2024). ‘We’re not right wing or racist but...’: Far-right myth and distributive conflict in asylum seeker related protest in the Republic of Ireland, November 2022–July 2023’, *Irish Journal of Sociology*, Vol. 32, No. 1-2.

160 Smith, K. (2024). ‘Governing resettlement: Interrogating tensions and contradictions around age, vulnerability, and integrate-ability in the Irish context’, *Critical Social Policy*, Vol. 44, No. 3, pp. 425-446.



refugees and stakeholders working in policy and service provision related to the Irish Refugee Protection Programme in 2018.

Service providers and officials identified age, gender and education/class as important factors in ‘integrate-ability’. Children were viewed as more adaptable than adults, particularly children resettled at primary school age or below, and there was an assumption that the younger the child, the less the need for support. The author argues that children still need considerable support in acquiring the language, academic skills and social adjustment, with some needing support to deal with loss or trauma. However, due to children’s ability to learn English quickly, they often become agents of their parents.

In the interviews, economic integration was generally only discussed in relation to men, due to a presumption that Syrian women preferred to remain at home. Families of educated, middle-class backgrounds were viewed as more ‘integrateable’ than others, yet they too struggled to gain employment. Adults with limited prior education, often from rural areas, were deemed the least adaptable and the author fears they may be ‘written off and consigned to long-term welfare dependency’ due to negative assumptions about their prospects and the multiple barriers affecting their ability to access the labour market.<sup>161</sup> They found that unemployment impacts the resources available to these families and further disadvantages children, with long-term implications.

#### 4.3.5 Anti-refugee attitudes in classrooms

Elaine Smith, Alejandro Dinkelberg, Anca Minescu and Mike Quayle published an article analysing anti-refugee attitudes in Irish classrooms. The quantitative research examines the extent to which migrant children in Ireland adopt anti-refugee attitudes to avoid discrimination and to gain a sense of belonging in their school, and the extent to which they identify with Irish people. It is based on data from 54 primary school classes (969 children), collected between 2017 and 2020.

The authors adopted an attitude network approach using a survey assessing attitudes toward refugees to examine the attitude positions of Irish children and children with migration backgrounds. Specifically, they examine the extent to which migrant children’s attitudes toward refugees align with the attitudes of their Irish peers, and test whether this alignment predicts identification as Irish, as well as class identification. Two distinct pro-and anti-refugee groups of students were found to be present in the sample. However, both groups were comprised of children with a variety of migration statuses. The authors theorise that: the migrant students may not have felt sufficient identity threat to use a strategy overtly and strategically trying to

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161 Smith, K. (2024). ‘Governing resettlement: Interrogating tensions and contradictions around age, vulnerability, and integrate-ability in the Irish context’, *Critical Social Policy*, Vol. 44, No. 3, pp. 441.

show that they are a member of the national group and are nationalistic;<sup>162</sup> or that the migrant children may have sufficiently integrated that they did not hold attitudes that are different enough from Irish children to identify them as a distinct group with different attitudes to Irish children.

Migrant children in the study displayed significantly lower national identification with Ireland; however, this identification was not related to whether their attitudes to refugees were similar to their Irish peers. On the other hand, alignment of attitudes towards their classmates did predict identification with the class itself. Children who identified more with their class tended to have higher national identification.

The research found that older children are particularly attentive to the attitudes and expectations associated with the social groups to which they belong, and are more likely to be aware of their peers' attitudes. This may suggest that the classroom can be an important environment in which political attitudes are formalised in older children. The authors suggest that an interculturalist approach (focused on attitude similarity, common values and moral bonds) in the classroom would foster greater cohesion among students than a multicultural approach.<sup>163</sup>

The authors noted that due to the recent upsurge in protests against IPAs and refugees in Ireland, a repeat study may yield different results.

#### 4.3.6 Carcerality and approved gender violence: The case of Direct Provision in Ireland

Arpita Chakraborty and Virve Repo published an article analysing the concept of carcerality in relation to the Direct Provision system in Ireland (the IPAS accommodation system). They argue that the Direct Provision system is a form of gendered carcerality,<sup>164</sup> one that creates and exacerbates conditions of gendered violence. This article, based on research funded by the Irish Research Council, argues that women, children and sexual minorities living in IPAS accommodation centres who are likely to have traumatic histories face risks of further interpersonal violence, traumatisation and continued vulnerability. The authors look at residents' experiences of motherhood, experiences of sexual violence, access to reproductive health and access to mental healthcare through a gendered lens. They found that the centres disrupt motherhood, as well as reproduction, while maintaining the idea that

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162 The authors explain that children with a migration background can feel identity threat when they consider themselves to belong to the national group, but nationals without a migration background do not agree. This poses a threat to their claim to national identity.

163 E.M. Smith, A. Dinkelberg, A. Minescu and M. Quayle (2025). 'Mapping anti-refugee attitude networks in the classroom: Examining the relationship between migrant children's attitude alignment and national identification', *Identity*, Vol. 25, No. 1, pp. 97-114, <https://doi.org/10.1080/15283488.2024.2424776>.

164 According to the authors, this includes how practices or spaces may not intend to cause harm, yet do so, and how spaces that are not prisons may be so controlled, secured and restricted that they feel like prisons.

motherhood is normal and positive. They highlight reports of trafficking into prostitution and reports of prostitution to provide for basic needs. Barriers to accessing contraception, period products and pregnancy terminations are discussed, alongside high rates of mental health difficulties due to, or exacerbated by, the nature of centres, and difficulties accessing mental health support. The authors recommend the full implementation of the White Paper, investment in improving infrastructure and services, and appropriate accommodation for vulnerable IPAs.

## 4.4 CASE LAW

### 4.4.1 Failure to meet basic needs of unaccommodated applicants: *Irish Human Rights and Equality Commission v. Minister for Children, Equality, Disability, Integration and Youth & anor* [2024] IEHC 493

**Facts:** This case concerned difficulties faced by the State in providing accommodation to single male applicants for international protection. As the State was unable to provide accommodation, it sought to provide for the basic needs of applicants through an increased Daily Expenses Allowance of €75, and through the provision of vouchers, information services and increased day services. The High Court had previously ruled in *S.Y. v. Minister for Children, Equality, Disability, Integration and Youth & ors* [2023] IEHC 187 that the State was not meeting the basic needs of applicants, and a further case ([2023] IEHC 717) was referred to the Court of Justice of the European Union (CJEU) concerning damages. This case was brought by the IHREC, using its powers under section 41 of the *Irish Human Rights and Equality Act 2014*.

The Commission detailed how between 4 December 2023 and 10 May 2024, 2,807 single, adult males who had sought international protection in the State were not provided with accommodation. Of them, 1,715 were still awaiting an offer of accommodation by 10 May 2024. The Commission set out the particular vulnerabilities and risks faced by unaccommodated IPAs, and affidavits were filed by members of the Commission, Merchants Quay Ireland, the Irish Refugee Council and individual IPAs.

In turn, the respondents set out their position as to how the provisions met the basic needs of applicants in the context of a sudden, unprecedented and unforeseeable increase in applicants. The respondents described a more formalised prioritisation system and vulnerability triage procedure to accommodate applicants where possible. It described how the increase to the Daily Expenses Allowance, as well as a €100 voucher on arrival, for unaccommodated applicants was greater than equivalent payments to IPAs in other EU Member States. It was stated that where the Department received referrals from An Garda Síochána and NGOs about street homelessness, these cases were prioritised. However, it found that there were very few cases referred and this was interpreted as meaning that most applicants had found alternative accommodation.

The Commission sought a number of declarations from the respondents. These included that by failing to meet the needs of applicants, the respondents breached the applicants' rights under the Charter of Fundamental Rights of the EU and the European Convention on Human Rights, as well as the recast *Reception Conditions Directive 2013/33/EU* and/or the *European Communities (Reception Conditions) Regulations 2018*. Various orders of mandamus were also sought to require the respondents to meet the basic needs of unaccommodated IPAs.

**Reasoning:** In the High Court, O'Donnell J first dealt with the question of whether this was a legitimate case to bring under section 41 of the *Irish Human Rights and Equality Act 2014*. In his assessment, he found that the Commission was entitled to bring the case, and that the Commission was not required to identify each individual concerned – instead, a class of persons was sufficient so long as precisely defined – and that there was no obligation on the Commission to obtain the consent of each individual. O'Donnell J clarified that such a case must relate to a breach of a provision in one or more of the foundational instruments referred to in Part 3 of the 2014 Act, such as international treaties that are given effect in national law. Beyond this, a section 41 case must satisfy the requirements of other proceedings: there must be a live dispute and the case must be proved in the ordinary way. The High Court made clear that these proceedings were not an advisory judgment and could not answer hypothetical questions.

Turning to the substantive issues of the case, O'Donnell J firstly referred to the CJEU case of *Haqbin* (C-233/18), where basic needs were understood to include a place to live, food, clothing and personal hygiene, and must be met by the State not only to ensure compliance with the recast Reception Conditions Directive, but also to ensure applicants are treated in a manner that is compatible with their human dignity.

O'Donnell J recognised the difficulties faced by the State, but held that the State's response was inadequate and that the assumption that many were able to access accommodation based on the low numbers of reported 'street homeless' applicants was faulty. O'Donnell J set out that many applicants, even if not street homeless, were accommodated in precarious and *ad hoc* circumstances, including relying on friends, sleeping in churches and mosques, or walking through the city at night. The High Court rejected the inference that a majority of unaccommodated applicants had found accommodation due to the low numbers of reported rough sleeping cases. It also noted that basic needs go beyond housing and that considerable strain was placed on day service providers, such as Merchants Quay Ireland.

The payments made to applicants were found to not amount to an adequate financial allowance to access basic accommodation. O'Donnell J held that irrespective of whether it is legitimate for the Department to consider the avoidance of incentivising

applicants to come to Ireland to apply for international protection as a factor, the basic needs of applicants were not met.

**Decision:** O'Donnell J granted the declaratory reliefs sought by the Commission that the State, in failing to meet the basic needs of newly arrived IPAs, breached that class of person's rights pursuant to Article 1 of the Charter of Fundamental Rights of the European Union. However, the application for mandatory relief was refused; the State has sought to respond to previous declarations by the High Court and there was no doubt it would respond to the declaratory relief in this judgment.

#### **4.4.2 Dublin Regulation transfer to Spain: *A.C. v. The International Protection Appeals Tribunal & ors* [2024] IEHC 77**

**Facts:** The applicant, an Algerian national, applied for international protection in Ireland. It was found that he had previously been in Spain. The IPO sent a take back request to Spain under the Dublin III Regulation, and Spain accepted responsibility for his application.

Upon being notified of this decision, the applicant's solicitors made submissions to the Minister for Justice under Article 17(1) of the Dublin III Regulation (the *sovereignty clause*), requesting that the Minister exercise her discretion to assume responsibility for determining the applicant's protection claim in Ireland. It was submitted that he would be at risk of destitution and onward refoulement if returned to Spain.

The applicant sought leave to pursue judicial review in the High Court on several grounds and requested an injunction to prevent his removal pending a decision under Article 17.

**Reasoning:** In the High Court, Hyland J highlighted a lack of clarity as regards the operation of Article 17 and recalled the plethora of Article 17 litigation in Ireland, as well as the pending preliminary reference in the Court of Justice of the EU (C-359, *AHY v. Minister for Justice*) on the issue.

Citing the test for leave to seek judicial review based on arguability and not likelihood of success, Hyland J granted leave in respect of a declaration that the process for the application and determination of an Article 17(1) application remains unclear, and therefore contrary to the principle of certainty under EU law. Hyland J further granted leave for a declaration that the Minister's determination under Article 17 must issue concurrently with the transfer decision notice to allow the applicant to access an effective remedy for a refusal under Article 17.

On the request for an injunction, Hyland J held that while there were no relevant human rights concerns in Spain to prevent the applicant's transfer, the Minister's

failure to make a decision on the applicant's Article 17 application, made more than 18 months prior, meant an injunction had to be granted. She highlighted that the applicant was entitled, at a minimum, to a decision on his application before being transferred.

**Decision:** The injunction was granted and a stay was placed on the applicant's removal. Leave was granted for a declaration that the Article 17(1) procedure in Ireland remains unclear contrary to the principle of certainty under EU law. The applicant was entitled to a decision on Article 17 before transfer.

By the time of the substantive judicial review case ([2024] IEHC 211), the applicant had received a negative decision on his Article 17(1) application from the Minister. However, the deadline to transfer him to Spain had since passed and therefore it was determined his case would be heard in Ireland. Hyland J therefore held the proceedings were moot.

#### **4.4.3 Credibility assessment: *J.R. (Algeria) v. International Protection Appeals Tribunal and the Minister for Justice* [2024] IEHC 296**

**Facts:** The applicant was an Algerian national who applied for international protection. He claimed that his uncle had threatened to kill him over a family dispute about property, and that, despite reporting it to the police, no action was taken. He submitted that his uncle held a powerful position in a terrorist organisation and had also threatened and attacked his parents. Furthermore, at interview, the applicant claimed that he had been sexually assaulted as a child by his uncle, which he referred to as rape later in the application procedure.

The IPO refused to grant refugee status or subsidiary protection to the applicant. The IPO did not find the application to be credible on the balance of probability and based on the lack of specificity and corroboration of the claims made. On appeal, the IPAT upheld the decision of the IPO. The applicant sought judicial review in the High Court.

**Reasoning:** In the High Court, Gearty J recalled that the essence of decision making is that a decision must be clear. Gearty J found the tribunal's review of the case to be factually inaccurate and that it failed to clarify whether or not it accepted the applicant's claim that threats had been made to his and his family's lives. Moreover, the request for documentation from the applicant failed to refer to specific elements of the case that needed substantiation. Section 28(6) of the *International Protection Act 2015* provides that if an applicant establishes that they have suffered previous serious harm, that is a serious indication of a real risk of serious harm unless there are good reasons to consider that such harm will not be repeated. The High Court held that it was not clear if the tribunal accepted that the applicant faced death threats,

and if it did accept them, it failed to consider the rebuttable presumption under section 28(6).

Regarding the applicant's account of sexual assault, it was found that the tribunal did not accurately recount the applicant's case. Gearty J recalled that incidents of sexual assault are extremely difficult to corroborate and noted, moreover, that the tribunal's reference to the applicant's failure to raise the issue prior to the interview as a factor that reduced his credibility provides minimal support for the final decision.

Lastly, the tribunal's consideration that the lack of specificity in the applicant's description of his uncle as belonging to a terrorist organisation to be a negative credibility factor was unexplained and appeared unnecessary.

**Decision:** Gearty J held that there was no clear reason given in the tribunal's decision as to whether or not the applicant or his family's lives were threatened by his uncle and what was reported to the police. The decision was quashed.

#### **4.4.4 Vicarious right to labour market access for parents of an applicant: *L.A. (a minor suing by his mother and next friend, A.A.) & ors v. International Protection Appeals Tribunal & ors* [2024] IECA 133**

**Facts:** The first applicant was a child, and the second and third applicants were his parents. The parents applied for international protection in Ireland before he was born. While their applications were being processed, they obtained labour market access permissions. Their applications for international protection were later refused, their right of access to the labour market was terminated, and they were then subject to deportation orders. It was during this time that the child was born. The mother of the child applied for international protection on behalf of the child. The parents then applied for labour market access permissions, seeking to derive a vicarious right to work as parents of a minor applicant for international protection. These applications were rejected.

They appealed to the IPAT and this appeal was refused. They sought judicial review in the High Court ([2023] IEHC 41), which held that the parents could not exercise a vicarious or derived right to access the labour market to ensure an adequate standard of living for their child. An application was made to request leave to appeal the decision to the Supreme Court, which was refused. An appeal was then sought in the Court of Appeal as regards damages.

**Reasoning:** In the Court of Appeal, while the appeal was also dismissed, the Court provided further clarification as to the reasons for refusal.

It found that a child, in principle, does have a right to access the labour market under Article 15 of the recast *Reception Conditions Directive 2013/33/EU*. This is because nothing in the Directive qualifies that right by reference to the applicant's age. Ireland's transposition of the Directive in the *European Communities (Reception Conditions) Regulations 2018* states that access to the labour market is subject to the *Protection of Young Persons (Employment) Act 1996*. Under that Act, a minor can work but only where they have permission to do so by the relevant Minister. A child applicant for international protection would be subject to the same requirement.

The Court of Appeal also clarified that an applicant as defined under the Directive does not include a family member. On whether the derived rights for parents established under the *Zambrano* case law applies, the Court of Appeal held that the *Zambrano* case concerned the EU rights of an EU citizen child and the issues were of an entirely different nature.

The recast Reception Conditions Directive requires that the best interests of the child are considered and the Court of Appeal found that there was no evidence that the minor experienced any reduction in benefits he might have otherwise received if his parents were granted access to the labour market by proxy. On the arguments raised as regards human dignity, the Court clarified that there is not a right to human dignity per se but rather that human dignity is a basis for rights. In the context of the Directive, it was considered that it would be a leap to use it as a basis to confer a derived right to labour market access. Lastly, on the constitutional right to seek employment, the Court of Appeal again distinguished this case from the leading case of *NHV v. Minister for Justice and Equality* [2017], in that the parents of the child were not deprived of a right when they themselves were applicants.

It was found that there was no requirement to send a preliminary reference under Article 267 of the Treaty on the Functioning of the European Union as it was *acte clair*. No claim for damages was found

**Decision:** The appeal was dismissed.

#### **4.4.5 Prohibition on applicants working in the public sector: *AM v. Minister for Enterprise, Trade and Employment & ors* [2024] IEHC 660**

**Facts:** The applicant was an IPA in Ireland with a professional background in pharmacy and healthcare management. The applicant applied for and was granted a labour market access permission. Under Regulation 11(9)(a) *European Communities (Reception Conditions) Regulations 2018*, IPAs are not permitted to enter employment in the public sector. The applicant alleged that this prohibition had the effect of preventing him from gaining employment. They claimed that this is in violation of Article 15(2) of the *Reception Conditions Directive 2013/33/EU*, which establishes the



right for IPAs to access the labour market and requires that this right is effective. The applicant further claimed that the Minister acted unconstitutionally by acting *ultra vires*, and that the ‘blanket prohibition’ was irrational, unreasonable and disproportionate, and therefore unlawful. The applicant sought various declarations in the High Court to this end.

**Reasoning:** In the High Court, O’Donnell J clarified that the concern of the applicant was not about access to the labour market *per se*, but access to a preferred type of employment. With reference to *KS* (Joined Cases C-322/19 and C-385/19), O’Donnell J held that ‘effective access’ refers to a ‘dual requirement’ that access is effective in the literal sense, and that the type of access provided must be capable of bringing about a level of self-sufficiency and a dignified standard of living. Beyond this, it was held that there is nothing in Directive 2013/33/EU to suggest that the purpose of the legislation is to provide for a right for applicants to access a particular or preferred sector within the labour market. Thus the restriction on access to employment in the public sector was lawful and did not infringe the right to effective access to the labour market for applicants.

On the constitutionality of the restriction, with reference to *NHV v. Minister for Justice and Equality* [2017] IESC 35, O’Donnell J recalled that the Supreme Court did not hold that there was a right to work *per se* but a freedom to seek work. It was recalled that *NHV* did not go so far as to establish that an IPA may invoke a personal right to work. It was held that in the instant case there was no blanket prohibition on employment as there was in *NHV*, and the applicant could still access employment, albeit not in his preferred area. It was held that the State was justified in drawing a distinction between citizens and non-citizens in the field of employment policy. Indeed, the reasons provided by the Minister, including preventing the creation of pull factors and the nature of work in the public sector, were justified. To this end, the State should be afforded considerable latitude in placing restrictions on employment policy.

**Decision:** The High Court held that the 2018 Regulations, by not permitting IPAs from working in public service jobs, did not impermissibly curtail or burden the applicant’s freedom to seek employment. There is limited but effective access to the labour market for IPAs, and the restrictions were justified as achieving ends that are proportionate to the public interest. The declarations sought were refused.

#### **4.4.6 Safe third country designation process: *A v. Minister for Justice, Ireland and the Attorney General; B v. International Protection Appeals Tribunal, Minister for Justice and Equality, Ireland, and the Attorney General* [2024] IEHC 183**

**Facts:** This case concerned the lawfulness of the designation of the UK as a safe third country under section 72A, *International Protection Act 2015*.

The two applicants, A and B, were Iraqi and Nigerian, and separately applied for international protection in Ireland. A biometric data request was sent to the UK under the 2014 UK/Ireland Memorandum of Understanding, which confirmed their connection to the UK. The applicants' claims were found to be inadmissible under section 21 of the *International Protection Act 2015* and they were issued with Return Orders under section 51A of the 2015 Act.

In the High Court, the applicants sought judicial review of, among other things, the inadmissibility decision and the return decision. A further challenge was made as to the legality of data sharing arrangements with the UK.

**Reasoning:** First, on the legal framework to designate a safe third country, Phelan J considered the *Asylum Procedures Directive 2005/85/EC*, which Ireland has opted into. Article 27 permits Member States to assign safe third countries, but does not require them to do so. Where Member States do assign them, this process is nonetheless subject to conditions set out under Article 27. Ireland implements the safe third country provisions in section 72A of the *International Protection Act 2015*, as amended. The recast of the Directive, *Asylum Procedures Directive 2013/32/EU*, replaced Article 27 with Article 38. Ireland, however, did not opt into this recast. Article 38 added an extra condition – that there can be no risk of serious harm in the third country. Ireland does not have this additional condition in domestic legislation on safe third countries.

Phelan J then turned to the Dublin III Regulation, which Ireland has opted into. Article 3(1) contains a right to make an application in a territory of a Member State and Article 3(3) provides that any Member State shall retain the right to send an application to a safe third country, subject to the rules and safeguards of the recast *Asylum Procedures Directive 2013/32/EU*. It was held that because the Dublin III Regulation refers to the recast Asylum Procedures Directive, which contains an additional condition of assessing serious risk when designating safe third countries, Ireland must also apply this additional condition (cf. *MS C-616/19*). Phelan J dismissed the respondent's argument that the Dublin III Regulation was not relevant to the cases, stating that Article 3(1) contains a right to asylum on the territory of a Member State and, as such, the Regulation is of relevance.

In assessing the gap between the recast Asylum Procedures Directive and the *International Protection Act 2015*, Phelan J held that section 72A(2) and section 21, combined with section 50A of the 2015 Act, do not provide for the full extent of safeguards of Article 38 of the recast Procedures Directive. Indeed, they specifically exclude consideration of a transfer to a country where there may be serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict. Thus, the designation of the UK

as a safe third country was considered unlawful and *ultra vires* the powers of the Minister.

Second, regarding the requirement to regularly review the designation of a country as a safe third country, Phelan J refrained from declaring how frequently this review should occur. Nonetheless, she highlighted how under the Asylum Procedures Directive, Member States must be ‘satisfied’ that the requirements for designation as a safe third country are met. Phelan J held that ‘satisfied’ is a continuing obligation and that this is not present in the current Irish legislation, and that the methodology for review used by the Minister was therefore insufficient.

A third issue concerned the review of applicant’s rights. Where a recommendation of inadmissibility is made by the IPO and this has been affirmed by the tribunal, the Minister must then issue a return order under section 51A. Phelan J held that, while there may be some consideration of rights under Article 3 ECHR/Article 4 of the Charter of Fundamental Rights in this process, there is no provision for a broader rights analysis at any stage of it. She found a lack of clarity as to who conducts the rights analysis, and when it is to be conducted, which she deemed unsatisfactory, and that the narrow scope of rights analysed was not consistent with fundamental rights protections afforded under Irish and EU law. It was held that section 51A(1) did not provide the Minister with residual discretion to conduct a broader rights scrutiny. This was incompatible with EU law obligations and rendered the safe third country designation system unlawful.

On data protection rights in the context of exchanging personal data with the UK and the applicability of GDPR, Phelan J delimited her analysis to whether any breach of data protection rights would render section 72 of the 2015 Act and or the 2020 designation order outside the legal powers of the procedures directive or the State’s Common European Asylum System obligations. She found that this was not the case. It was held that there is remedy for data protection breaches under the *Data Protection Act 2018*, which had not been pursued.

**Decision:** Phelan J issued a declaration that the designation of the UK and Great Britain as a safe third country pursuant to the 2020 Designation Order is contrary to Ireland’s obligations under EU law. Thus, the decisions in these cases were quashed.

#### **4.4.7 Greek transfer cases: AAH & MAH v. International Protection Appeals Tribunal & ors [2024] IEHC 699**

**Facts:** The applicants were both Somali nationals who had been granted international protection in Greece and subsequently travelled to Ireland and applied for international protection in the State. Their applications were deemed inadmissible under section 21(9), *International Protection Act 2015*.

The applicants contested the inadmissibility recommendations on the grounds that conditions in Greece are such that they result in destitution, homelessness and/or extreme material poverty, and that they give rise to a real or serious risk of a breach of their fundamental rights under Article 3 ECHR and/or Article 4 of the Charter of Fundamental Rights. They also challenged, *inter alia*, the adequacy of procedural safeguards in the decision-making process in Ireland, particularly the lack of an oral hearing for inadmissibility decisions, along with the standard of proof and evidential burden in reviewing risk of harm. They appealed the inadmissibility recommendations to the tribunal, which upheld the IPO's recommendations. The applicants sought judicial review in the High Court. The two cases were joined and were lead cases for a series of 'Greek transfer cases'.

**Reasoning:** In the High Court, Phelan J first recalled the principle of mutual trust between Member States and the presumption that all beneficiaries of international protection will be treated in accordance with the Charter of Fundamental Rights, the ECHR and international human rights law across the EU.

Phelan J referenced the CJEU decision in *Ibrahim* (Joined Cases C-297/17, C-318/17, C-319/17 and C-438/17) concerning beneficiaries of international protection. She recalled that the burden of proof lies with the applicant, who must demonstrate that the risk of suffering and ill-treatment if returned will attain a particularly high level of severity. To this end, a high degree of insecurity or a significant degradation of living conditions would be insufficient, unless they entail extreme material poverty to the extent that they are experiencing inhuman or degrading treatment. Moreover, as held in *Ibrahim*, the risk must be individualised, unless there is a situation where conditions in an EU Member State have broken down so systemically that the beneficiary would experience a breach of their rights merely by their presence in the State, such as in the form of an armed conflict or unprecedented humanitarian crisis, as found in *SN* (C-563/22).

On the right to an oral hearing, Phelan J recognised that the applicants had a right to be heard. In this regard, she recalled that the applicants had two preliminary interviews, conducted as part of Sections 13(2) and 15 stages, which could be considered to meet the applicants' right to be heard. Phelan J found that the applicants did not point to any actual element of their case that could only be advanced by oral hearing as opposed to documentation.

One of the applicants advanced a constitutional challenge to section 21 of the 2015 Act. On this, Phelan J recalled that there is a high evidential threshold to prove that removal from the State would expose the applicant to a real risk of being subject to treatment contrary to their fundamental rights under the Constitution. The mere possibility of ill treatment was insufficient.

**Decision:** Phelan J upheld the decisions of the tribunal. She found that the decisions were properly grounded in and flowed from the assessment of the applicants' personal circumstances and the absence of any vulnerabilities, judged in the context of information on living conditions for beneficiaries of international protection in Greece. The correct burden of proof was applied by the decision maker. Furthermore, an oral stage was provided and no circumstances that would require an oral hearing were established. Thus, the reliefs sought were refused.

#### **4.4.8 Delay and labour market access: *LK v. International Protection Appeals Tribunal & ors* [2024] IESC 42**

**Facts:** LK applied for international protection in Ireland in September 2019. A preliminary interview was scheduled two weeks after he applied, but he did not receive written notification of this date and was never contacted personally. Through his social worker, an interview was arranged for LK for 12 December 2019. He received a questionnaire, for which he was granted four extensions of time, including for reasons relating to access to legal advice, COVID-19 and securing a translator. The applicant submitted his questionnaire on 25 August 2020. Separate to this process, the applicant applied for labour market access in June 2020, but this was refused and the cited reason was that the delay in issuing a decision on his international protection application was attributable to him. This decision was upheld on review. In the High Court, Heslin J quashed the decision and held that the applicant was entitled to *Frankovich* damages.

The IPAT, the Minister for Justice, and the Attorney General appealed the case to the Supreme Court.

**Reasoning:** To start, Article 15 of the recast *Reception Conditions Directive 2013/33/EU* requires Member States to grant labour market access to IPAs after maximum waiting period of nine months if a first-instance decision has not been taken on their international protection application and the delay cannot be attributed to the applicant. The Directive is transposed in Ireland in the *European Communities (Reception Conditions) Regulations 2018*, which provides that a labour market access permission may be granted to an applicant after a period of nine months (subsequently reduced to six in Ireland) so long as a first-instance decision has not been taken on the application and the delay cannot be attributed, or attributed in part to the applicant. The 'attributed in part' in the transposition does not feature in the Directive.

On reviewing the reasons for the delay in completing the questionnaire, the Supreme Court held that the applicant was not responsible for all of the delays, including the first delay in failing to be informed of a preliminary interview, and that there were good reasons for other delays, including the COVID-19 pandemic and difficulties with

scheduling an appointment. However, there were insufficient reasons given by the applicant for the overall lengthy delay in completing the questionnaire. The Supreme Court held that the trial judge erred in his approach to the question of delay on the part of the applicant.

The question that then arose was how the various elements of delay in processing the application were to be attributed. The appellants had argued that the right is not absolute and the insertion of 'attributed in part' was permitted due to the discretion afforded to Member States under the Directive. The Supreme Court found that where the delay can be attributed to both the applicant and the State, it was unclear as to how to weight the different periods of delay; it was further unclear as to whether 'attributed in part' makes it difficult to exercise rights conferred by the EU legal order.

The Supreme Court held that there was no clear answer to the case and decided to refer a preliminary reference to the CJEU.

**Decision:** It was held that the issue was not *acte clair* and thus the Supreme Court stayed proceedings and referred four questions to the CJEU.

## CHAPTER 5

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### Temporary protection of persons fleeing the war in Ukraine

Temporary protection is an exceptional measure to provide immediate and short-term protection in situations of mass influx of displaced people who are unable to return to their country of origin. The Temporary Protection Directive was first activated by the Council of the European Union in 2022, in response to the Russian invasion of Ukraine.<sup>165</sup> It provides immediate protection and several rights for beneficiaries, including a residence permit for the duration of the protection, and access to employment, welfare, medical care, education and suitable accommodation or, if necessary, the means to obtain housing.<sup>166</sup>

#### 5.1 STATISTICS

##### 5.1.1 Arrivals

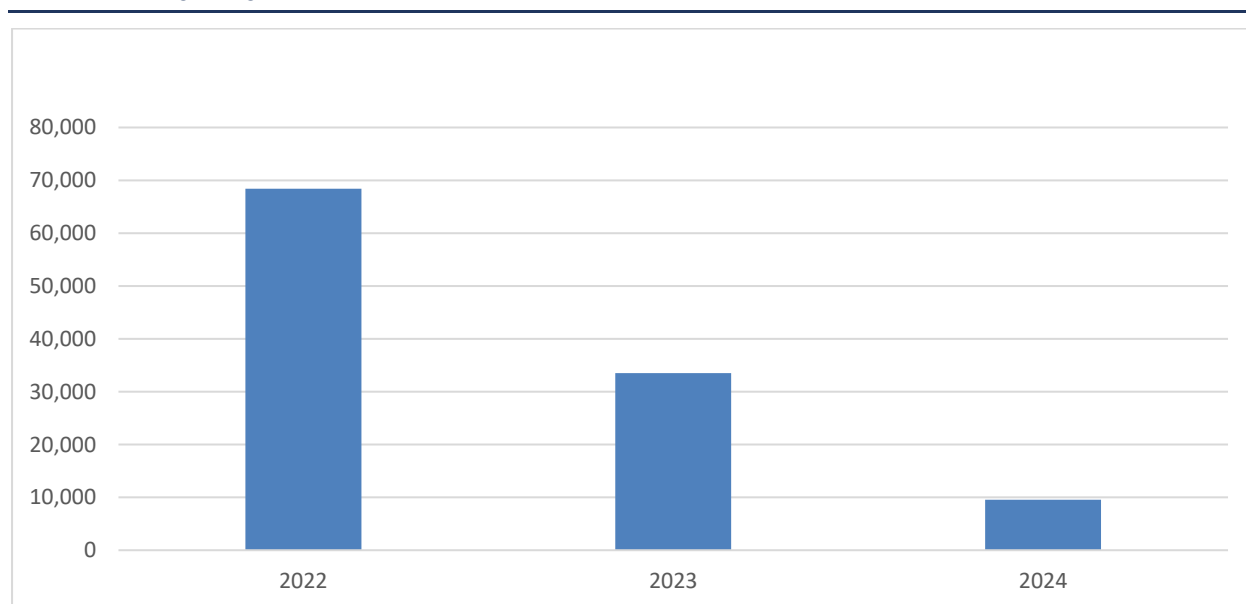
Figure 5.1 shows the number of arrivals from Ukraine between February 2022 and December 2024. By 29 December 2024, 111,480 personal public service numbers had been allocated to arrivals from Ukraine since February 2022.<sup>167</sup> Of these, 9,558 were allocated in 2024.

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165 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection.

166 Stapleton, A. and C. Dalton (2024). *The application of the Temporary Protection Directive: Challenges and good practices for Ireland*, Dublin: ESRI.

167 CSO (2025). 'UA07: PPSN registrations of arrivals from Ukraine'.

**FIGURE 5.1 NUMBER OF PERSONAL PUBLIC SERVICE NUMBER ALLOCATIONS TO ARRIVALS FROM UKRAINE, 2022–2024**

Source: CSO UA07, extracted 10 June 2025.

Arrivals fluctuated throughout the year, with the highest number arriving in January and the lowest in August.<sup>168</sup> According to the Central Statistics Office (CSO), 71% of arrivals from Ukraine had administrative activity after 30 November 2024.<sup>169</sup> This implies that around 79,000 are still in Ireland. Administrative data includes, for example, earnings from employment, receipt of a social assistance payment or attendance at a Public Employment Service (Intreo) course.<sup>170</sup>

Figure 5.2 outlines the gender and age breakdown of arrivals as of 26 December 2024, showing 48% of arrivals are women. The remaining 52% is evenly split between men and children.<sup>171</sup> This division is similar to those from both 2023 and 2022.

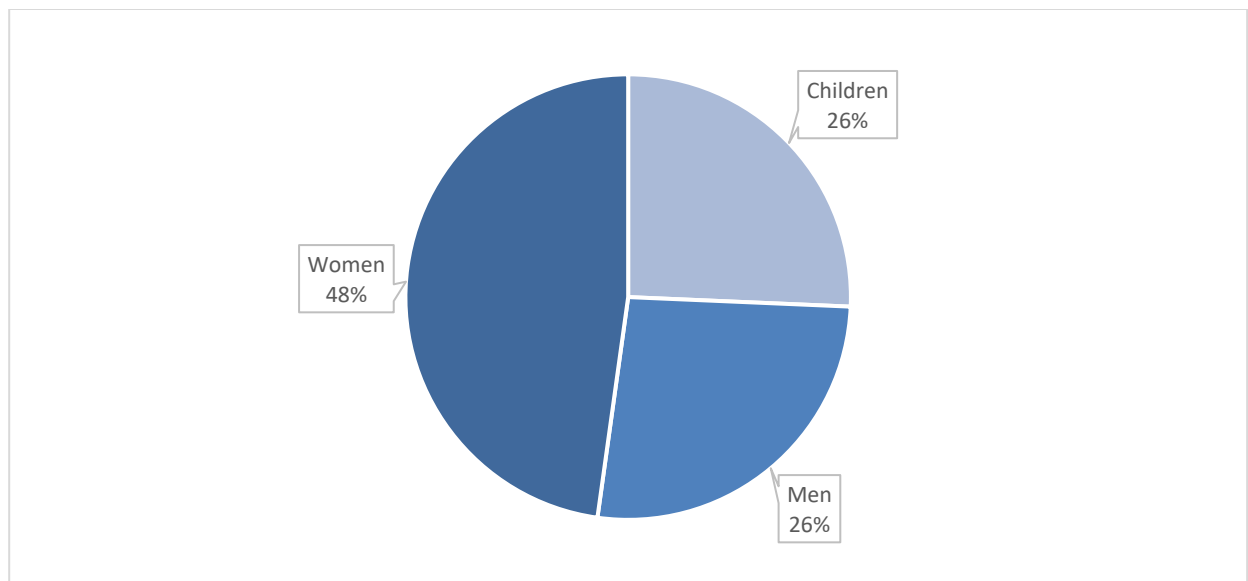
168 CSO (2025). 'UA07: PPSN registrations of arrivals from Ukraine'.

169 CSO (2025). *Arrivals from Ukraine in Ireland*, Series 15, [www.cso.ie](http://www.cso.ie).

170 These figures are taken from the 'Arrivals from Ukraine in Ireland' frontier series. The CSO notes that 'particular care must be taken when interpreting the statistics as it may use new methods which are underdeveloped and/or data sources which may be incomplete'. It should be noted that the proportion of those remaining in Ireland is likely higher.

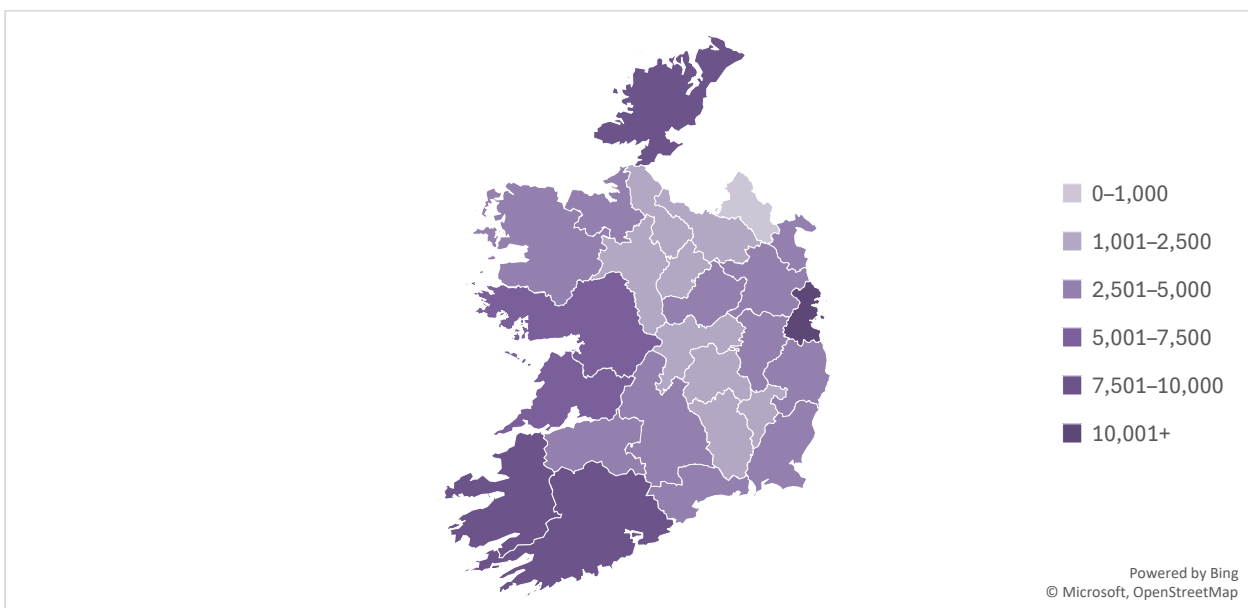
171 CSO (2025). 'UA38: PPSN allocations of arrivals from Ukraine'.



**FIGURE 5.2 GENDER AND AGE BREAKDOWN OF ARRIVALS, AS OF 26 DECEMBER 2024**

Source: CSO (2025) UA38, extracted 10 June 2025.

Note: Children are defined as those aged under 18 for the purposes of this dataset.

**FIGURE 5.3 NUMBER OF ARRIVALS FROM UKRAINE IN IRELAND PER COUNTY BASED ON PPSN ALLOCATIONS, AS OF 2 FEBRUARY 2025**

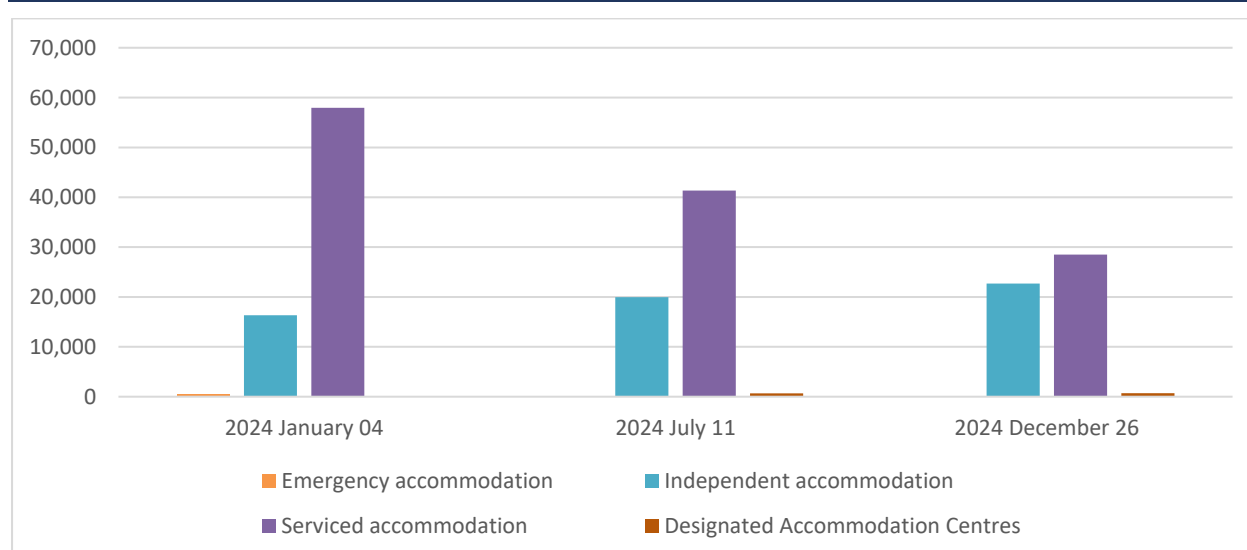
Source: U34, extracted 10 June 2025.

As shown in Figure 5.3, arrivals were dispersed throughout the country, though there was a higher concentration in Dublin and along the west coast of Ireland; a similar pattern was seen in both 2022 and 2023. While all counties saw an increase since 2023, arrivals increased the most in Kildare (78%), Offaly (67%) and Roscommon (55%). Clare (2%), Kilkenny (5%) and Sligo (5%) saw the lowest increases.

### 5.1.2 Accommodation

Ireland has used a range of accommodation options to house beneficiaries of temporary protection (BoTPs) since March 2022, including emergency accommodation, serviced accommodation (e.g. hotels) and pledged accommodation. BoTPs are also entitled to make their own private arrangements.

**FIGURE 5.4 ALLOCATION OF DCEDIY ACCOMMODATION FOR BENEFICIARIES OF TEMPORARY PROTECTION, JANUARY–DECEMBER 2024**



Source: UA33 Allocation of DCEDIY accommodation for BoTPs, extracted 10 June 2025.

As of 26 December 2024, there were 51,923 BoTPs accommodated in state-provided accommodation, according to CSO data. As shown in Figure 5.4, this is a reduction of nearly 23,000 since January 2024. This is likely linked to reductions in supports for BoTPs residing in state accommodation in 2024 and increased support for sourcing independent accommodation (see Section 5.2.2).

According to the Department of Justice, by 31 December, 22,698 beneficiaries were living in pledged accommodation, which is managed by a combination of local authorities and the Irish Red Cross. Of these, 9,861 were living in accommodation under the Offer a Home scheme, which is managed by local authorities on behalf of the Government.<sup>172</sup> Properties under this scheme must be vacant and allow for independent living. The Irish Red Cross maintains a register of pledged accommodation, which can be either a vacant property or shared with the host.

Hosts under both schemes (or who have arranged a hosting arrangement privately) are entitled to apply for the Government's Accommodation Recognition Payment, a

<sup>172</sup> Correspondence with the Department of Justice, Home Affairs and Migration, October 2025.

tax-free payment of €800 per property.<sup>173</sup> Data from the CSO shows that 13,693 hosts are in receipt of the Accommodation Recognition Payment, as of September 2024.<sup>174</sup> According to the Department of Justice, there were 34,755 BoTPs associated with active Accommodation Recognition Payment claims.<sup>175</sup>

### 5.1.3 Education and employment

Figure 5.5 outlines the percentage of arrivals enrolled in education as of October 2024. This indicates that 10% (10,475) of arrivals were enrolled in primary school, 6% (7,087) in secondary (post-primary) school, 9% in further education and training (of which 6% (6,636) relates to English language courses),<sup>176</sup> and 1% (1,317) in higher education (e.g. universities).<sup>177</sup> These figures are similar to that report in 2023, although there was a 24% decrease in those attending English language courses.

By 19 December 2024, the number of children enrolled in schools had decreased slightly to 10,459 in primary schools and 6,924 in secondary schools, bringing the total number of arrivals enrolled in schools to 17,383.<sup>178</sup>

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173 Note, from June 2025, this payment was reduced to €600 per property.

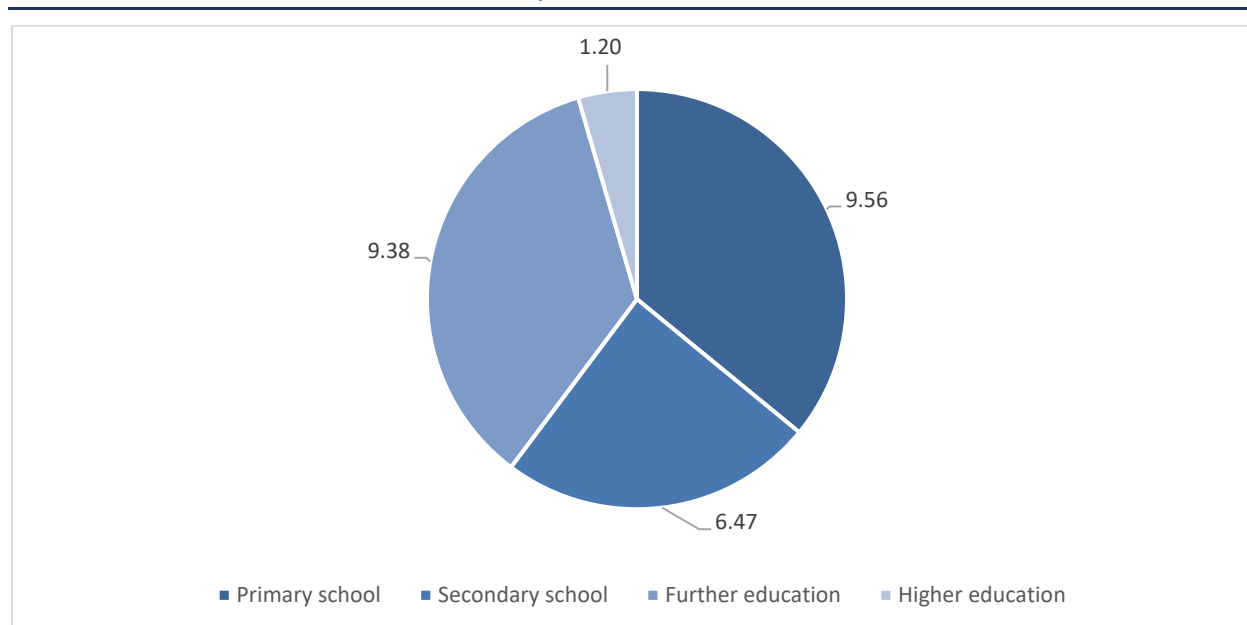
174 CSO (2024). *Arrivals from Ukraine in Ireland*, Series 14, [www.cso.ie](http://www.cso.ie).

175 Correspondence with the Department of Justice, Home Affairs and Migration, October 2025.

176 CSO (2024). *Arrivals from Ukraine in Ireland*, Series 14, [www.cso.ie](http://www.cso.ie).

177 Correspondence with the Department of Further and Higher Education, Research, Innovation and Science, October 2025. Note that the 1,317 enrolled in higher education are recorded as those registered to study in publicly funded higher education institutions (i.e. universities etc) for the academic year 2024/2025.

178 CSO (2025). 'UA41: Enrolments in primary and secondary education of arrivals from Ukraine', extracted 27 June.

**FIGURE 5.5 ENROLMENTS IN PRIMARY, POST-PRIMARY AND FURTHER AND HIGHER EDUCATION AS A PERCENTAGE OF TOTAL ARRIVALS, AS OF OCTOBER 2024**

Source: CSO, Arrivals from Ukraine, Series 14.

## 5.2 DEVELOPMENTS

### 5.2.1 Extension of immigration permissions

In January 2024, the Minister for Justice extended immigration permissions for all BoTPs up to 4 March 2025 in line with the extension of the Temporary Protection Directive by the European Council.<sup>179</sup> Temporary protection is an exceptional measure to provide immediate and short-term protection in situations of mass influx of displaced people who are unable to return to their country of origin. The Temporary Protection Directive was first activated by the Council of the European Union in 2022, following the Russian invasion of Ukraine.<sup>180</sup> It provides immediate protection and several rights for beneficiaries, including a residence permit for the duration of the protection, and access to employment, welfare, medical care, education and suitable accommodation, or if necessary, the means to obtain housing.<sup>181</sup> In 2025, the Directive was further extended by the Council until March 2027.<sup>182</sup>

179 Department of Justice (2024). 'Travel confirmation notice', 5 January; see also, Council of the European Union (2023). 'EU member states agree to extend temporary protection', 28 September.

180 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection.

181 Stapleton, A. and C. Dalton (2024). *The application of the Temporary Protection Directive: Challenges and good practices for Ireland*, Dublin: ESRI.

182 Council of the EU (2025). 'EU member states agree to extend temporary protection for refugees from Ukraine', press release, 13 June.

### 5.2.2 Changes to accommodation and income supports

In March 2024, following the announcement in December 2023, changes were made to the income and accommodation supports offered to newly arriving beneficiaries in Ireland.<sup>183</sup> This change means that BoTPs arriving in Ireland after 14 March 2024 who seek state accommodation will be provided with accommodation within Designated Accommodation Centres (DACs) for a maximum of 90 days, during which time they will be supported with information regarding finding independent accommodation. During this period in state accommodation, BoTPs will also receive a reduced income support in the form of the Beneficiary of Temporary Protection Weekly Payment, which is in line with the payment rates for IPAs.<sup>184</sup> After the maximum of 90 days, no further state accommodation will be provided, and BoTPs will be required to source their own accommodation or avail of pledged accommodation, if available.

Following on from this announcement, in September 2024 it was announced that BoTPs in full board state accommodation where meals and utilities are provided would no longer be eligible for certain social welfare payments. Instead, they would receive the same Beneficiary of Temporary Protection Weekly Payment described above. This brings equivalence to the treatment of beneficiaries in state accommodation who arrived in Ireland before and after March 2024. Both of these accommodation streams are now referred to as DACs, and provide beneficiaries with basic needs such as food, health assistance and information on entitlements.<sup>185</sup> BoTPs in full board DACs will receive a supplemental weekly payment of €70 per adult and €35 per child where they are paying a contribution to the cost of food within the DAC. If BoTPs source their own accommodation, or once they move on from state accommodation, they are entitled to apply for standard social welfare, subject to standard eligibility conditions.

Stakeholders, including the Ukrainian Civil Society Forum, have criticised both changes, arguing that they could push people into poverty.<sup>186</sup> Nasc also raised concern that this move would negatively impact integration outcomes and create new barriers, in particular for single parents.<sup>187</sup>

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183 Department of the Taoiseach (2023). 'Government approves changes to measures for those fleeing war in Ukraine', press release, 12 December.

184 The payment rates for both beneficiaries of temporary protection living in DACs and IPAs are: €38.80 per week for adults and €29.80 per child. Each payment is subject to an income test.

185 For example, the Irish Red Cross and local authorities assist BoTPs in locating accommodation through government schemes, such as Offer a Home or Pledged Accommodation. IOM also provide support services including information and advice on integrating into Ireland.

186 Immigrant Council of Ireland (2024). 'Statement by Ukraine Civil Society Forum on changes to state provision to Ukrainians', press release, 17 May.

187 Nasc (2024). "'Callous, shortsighted and regressive' – Nasc CEO, Fiona Hurley on reduced payments for Ukrainians', Cork: Nasc, the Migrant and Refugee Rights Centre.

### 5.2.3 Other developments

#### 5.2.3.1 Passport requirements

Section 4 of the *Immigration Act 2004* states that all third country nationals, including Ukrainians, who are travelling to Ireland must be in possession of a valid passport. Following the invasion of Ukraine, this requirement was temporarily suspended for Ukrainian nationals travelling to Ireland. From 5 June 2024, this temporary measure ceased to be in effect. It remained possible to travel to Ireland on a biometric passport that has been extended by the Ukrainian authorities, as long as such an extension does not bring the validity of the passport beyond a maximum of 10 years from the issue date.<sup>188</sup>

#### 5.2.3.2 ‘Refugees and applicants seeking protection’ health model

As reported in Section 4.2.12, in 2024, the Government provided €50 million to further develop the HSE’s health model for refugees and applicants seeking protection.<sup>189</sup> Due to the high demand for services, this funding has been made recurrent in order to allow service delivery to continue, and to develop the model further.<sup>190</sup> This model was originally signed off by the HSE’s National Ukraine Response Oversight Group in March 2023 to provide a flexible, local healthcare response to address the unmet health needs of new arrivals from Ukraine and other countries.

#### 5.2.3.3 Local government integration structures

The local authority integration teams (LAITs) were rolled out in 30 of the 31 local authorities in 2024. Their role is to provide practical, local support to international protection applicants (IPAs), beneficiaries of international protection, resettled refugees and BoTPs. LAITs do this primarily by mapping existing services, running local clinics and signposting individuals and families to the supports required on their integration journey.<sup>191</sup> This initiative was first proposed as part of the White Paper to End Direct Provision.<sup>192</sup> See Section 8.2.1.1 for more information.

Community Integration Fora, originally established during the COVID-19 pandemic and later reactivated to support the response to displacement from Ukraine, expanded their remit to support the same cohorts as the LAITs (expanding to include supports for IPAs and refugees) in 2024. The remit of the original Community Response Fora moved from a temporary response to the Ukraine crisis to a longer term, more sustainable structure. While the LAITs are providing operational day to day supports

189 Department of Justice (2024). ‘Response to parliamentary Question 26636/24’, [www.oireachtas.ie](http://www.oireachtas.ie).

190 Correspondence with the HSE, March 2024.

191 Correspondence with the Local Government Management Agency, October 2025.

192 For more information, see Potter, D., K. Murphy, A. Sheridan and Y. de Barra (2025). *Annual report on migration and asylum 2023: Ireland*, Dublin: ESRI.

for individuals, the Community Integration Fora operate at a more strategic level in working with the key agencies locally. This includes state agencies, non-governmental organisations (NGOs) and community and volunteer groups working together, at a senior level, to find solutions to local issues and as a means of escalating issues to a national level through the forum.<sup>193</sup> See Section 8.2.1.2 for more information.

### 5.3 RESEARCH

#### 5.3.1 Application of the Temporary Protection Directive in Ireland

Research published by the ESRI and EMN Ireland in 2024, on the application of the Temporary Protection Directive in Ireland, explores the implementation of the directive in Ireland, including supports provided to beneficiaries.<sup>194</sup> This report found that beneficiaries in Ireland can face difficulties in accessing employment and education, largely due to a lack of English language proficiency, compounded by insufficient English language support provision for adults. The report also demonstrates that accessing certain services is a challenge for beneficiaries, with particular issues related to accessing healthcare, suitable accommodation, childcare and transport.

#### 5.3.2 Survey of Ukrainians in Ireland

Ukrainian Action in Ireland published their third survey in March 2024, providing an overview of the experiences of Ukrainians who sought protection in Ireland.<sup>195</sup> The survey focused on employment. In total, 4,678 people participated in the survey. It found that while 74% of respondents held higher education degrees, many faced challenges in accessing employment due to language barriers. The report highlighted that the respondents' employment rates did improve from 30% in their 2023 survey to 43% in 2024, with improved English proficiency correlating with labour market access. It should be noted that the respondents to this survey represent a subset of the overall BoTP population, and have a higher employment rate than the wider group.<sup>196</sup> It also found that most respondents were actively learning English. Accessing accommodation remained a challenge, though the report found that more people were transitioning from state-provided accommodation to independent living. Despite the difficulties reported, 61% viewed their work experience in Ireland positively, while 53% reported intending to stay permanently in Ireland, which is an increase from 41% in 2023.

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193 Correspondence with the Local Government Management Agency, October 2025.

194 Stapleton, A. and C. Dalton (2024). *The application of the Temporary Protection Directive: Challenges and good practices for Ireland*, Dublin: ESRI.

195 Ukrainian Action in Ireland (2024). *Third survey of Ukrainians in Ireland*, Dublin: Ukrainian Action in Ireland.

196 According to the *CSO Arrivals in Ukraine Series 14*, the number of BoTPs with earnings from employment in September 2024 was 21% (22,943).

### 5.3.3 Social impact of migration: Addressing the challenges of receiving and integrating Ukrainian refugees

Eurofound published a report in 2024 focusing on the challenges that EU Member States and Norway face when receiving and integrating BoTPs who fled Ukraine.<sup>197</sup> This report explores the labour market integration of BoTPs and their access to essential public services. Its primary aim is to examine the interconnections between various aspects of integration, including employment, housing, healthcare, childcare and social protection. Drawing on data collected by Eurofound from EU Member States and Norway, the report covers developments up to mid-2023, and addresses key issues including employment rates, barriers to labour market entry, integration support measures and how access to core services is being facilitated, including the challenges in doing so.

### 5.3.4 Room to improve: The experiences of Ukrainian BoTPs in state accommodation

Doras published a report examining the living conditions of 989 BoTPs residing in state-provided accommodation in Ireland.<sup>198</sup> It reveals significant concerns, including poor overall accommodation quality, inadequate food services, child safety issues and lack of a complaints mechanism. One in three respondents rated their accommodation poorly, and 60% in serviced accommodation criticised the food quality, with some reporting hygiene issues. The report calls for urgent reforms such as compliance with child protection laws, staff training and vetting, standardised inspections, and increased support for community integration.

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197 Eurofound (2024). *Social impact of migration: Addressing the challenges of receiving and integrating Ukrainian refugees*, Dublin: Eurofound.

198 Doras (2024). *'Room to improve' – A look at accommodation centres in Ireland and the experiences of Ukrainian beneficiaries of temporary protection*, Limerick: Doras.



## CHAPTER 6

### Unaccompanied minors and other vulnerable groups

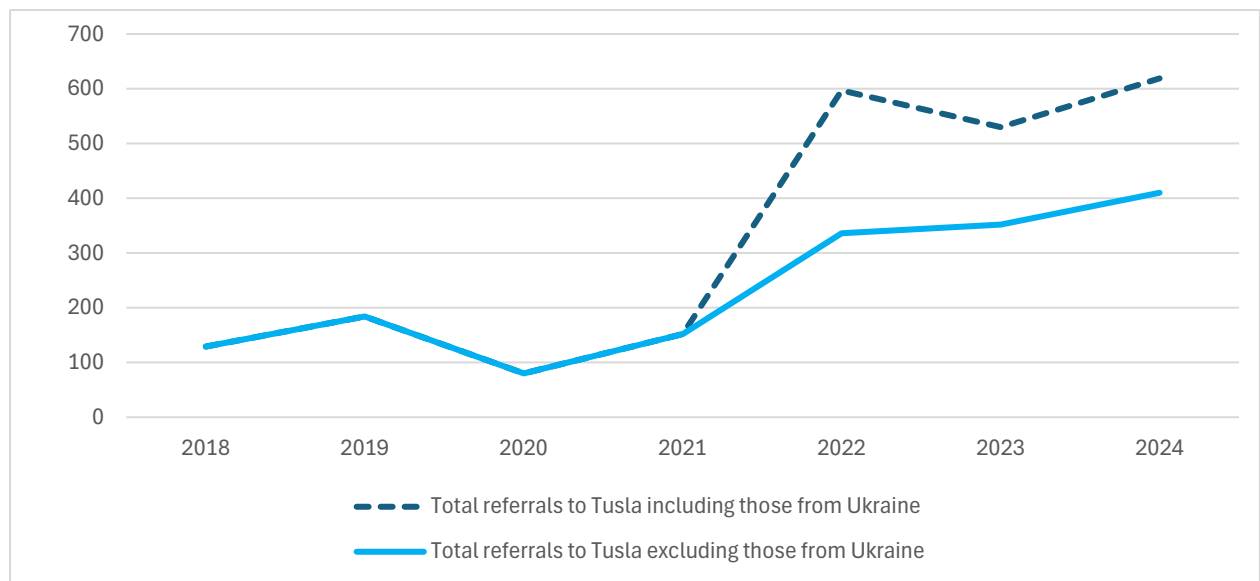
#### 6.1 STATISTICS

##### 6.1.1 Unaccompanied minors

In 2024, a total of 619 unaccompanied minors were referred to Tusla under the *International Protection Act*, an increase of 17% from 2023. Of these, 209 were from Ukraine. The percentage increase of referrals for international protection applicants (IPAs) and beneficiaries of temporary protection were the same, at 17% respectively.

At the end of 2024, 570 unaccompanied minors had been taken into care or accommodated. Of these, 368 were from Ukraine and 202 were from other countries. There were 57% more children from Ukraine taken into care in 2024 than in 2023, while there was a 36% reduction in the number of children from other countries.<sup>199</sup>

**FIGURE 6.1 UNACCOMPANIED MINORS REFERRED TO TUSLA, 2018–2024**



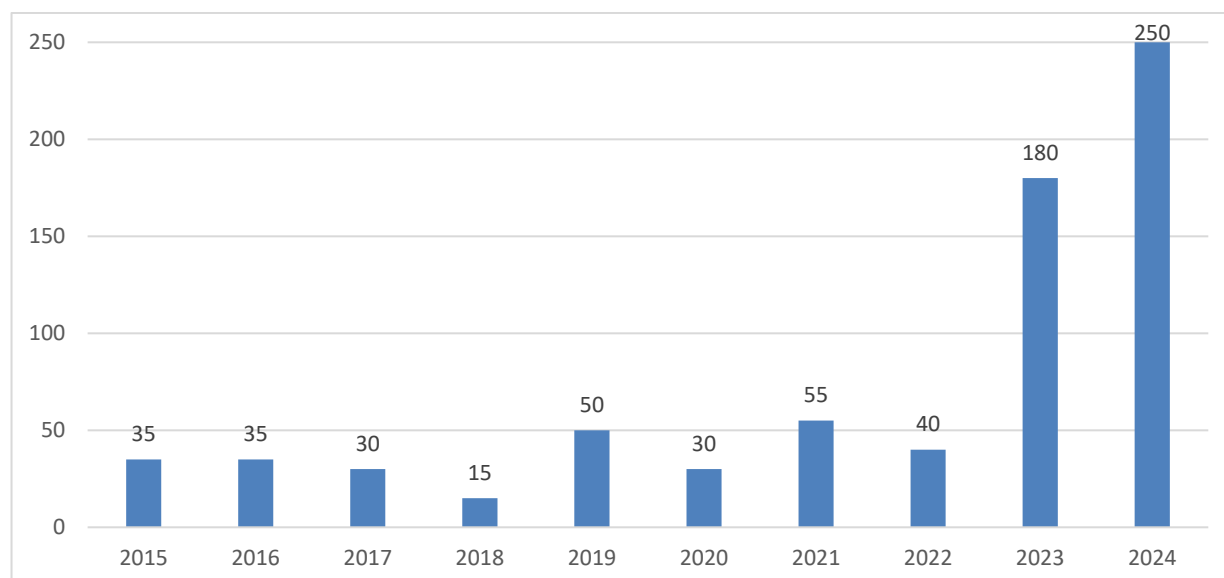
Source: EMN Ireland annual reports on migration and asylum 2018, 2019 and 2021; Tusla annual reports 2020, 2022, 2023 and 2024.

The number of IPAs classified as unaccompanied minors increased to 250 in 2024 (see Figure 6.2), according to Eurostat data. This is a 39% increase on 2023, but a 525% increase when compared to 2022. Three in four applicants in 2024 were boys, and 82% were aged 16 or above. Only five applicants were recorded as under 14 years of age.

<sup>199</sup> Tusla (2025). *Annual report and financial statements 2024*, Dublin: Health Service Executive.

The majority of unaccompanied minors came from Somalia (32%) and Afghanistan (22%), although there was a drop of 25% in the number of Afghan unaccompanied minors seeking international protection compared to 2023.<sup>200</sup>

**FIGURE 6.2 INTERNATIONAL PROTECTION APPLICANTS CLASSIFIED AS UNACCOMPANIED MINORS, 2015–2024**



Source: Eurostat (2024). 'Asylum applicants considered to be unaccompanied minors by citizenship, age and sex – Annual data', extracted 14 July 2025.

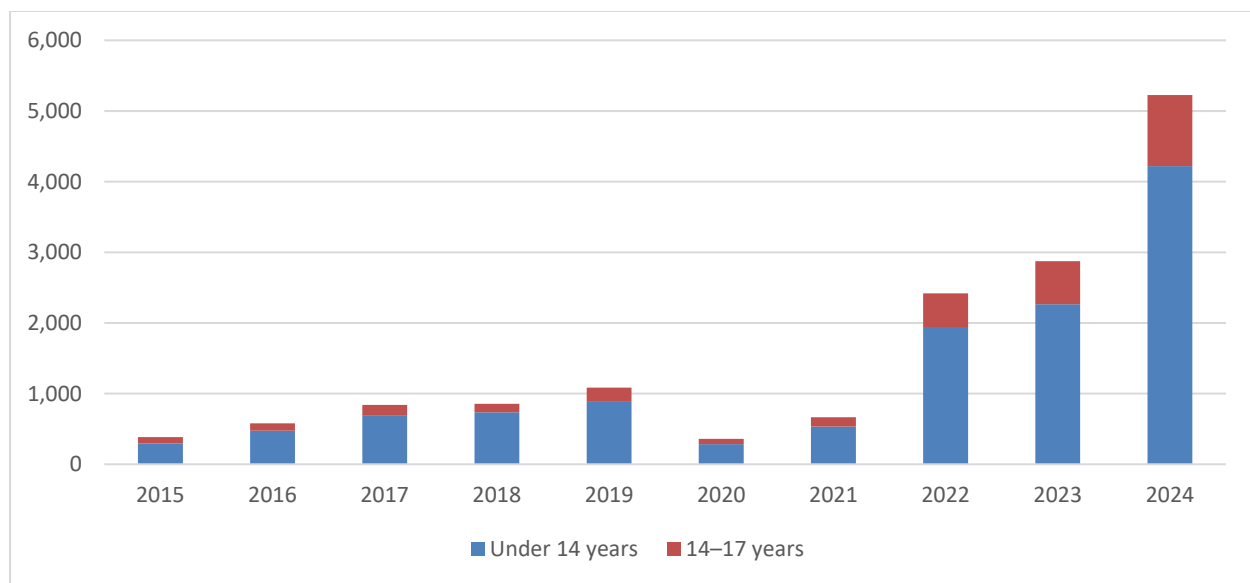
### 6.1.2 Children in the international protection process

In 2024, there were 5,225 new child applicants for international protection in Ireland, an increase of 2,345 applications (81%) from 2023. This figure includes both unaccompanied minors and children who are in Ireland with their parent or guardian. Four out of five child applicants were under 14, similar to previous years (see Figure 6.3).<sup>201</sup> At the end of the year, 7,260 children had asylum applications pending. This was an 80% increase on 2023 and three times the number of pending applications relating to children in 2022.<sup>202</sup>

200 Eurostat (2024). 'Asylum applicants considered to be unaccompanied minors by citizenship, age and sex – Annual data', extracted 14 July 2025.

201 Eurostat (2024). 'Asylum applicants by type, citizenship, age and sex – Annual aggregated data [migr\_asyappctza\_\_custom\_17469649]', extracted 15 July 2025.

202 Eurostat (2024). 'Persons subject of asylum applications pending at the end of the month by citizenship, age and sex – Monthly data', extracted 15 July 2025.

**FIGURE 6.3 FIRST-TIME APPLICANTS FOR INTERNATIONAL PROTECTION UNDER 18, 2015–2024**

Source: Eurostat (2024). 'Asylum applicants by type, citizenship, age and sex – Annual aggregated data [migr\_asyappctza\_\_custom\_17469649]', extracted 15 July 2025. See [https://ec.europa.eu/eurostat/databrowser/view/migr\\_asyappctza\\_\\_custom\\_17469649/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/migr_asyappctza__custom_17469649/default/table?lang=en).

## 6.2 DEVELOPMENTS

### 6.2.1 Tusla's 2024–2026 corporate plan

Tusla (the Irish Child and Family Agency) published its 2024–2026 corporate plan in April 2024. In the plan, Tusla state that they will prioritise introducing a new model of care for the services provided by the Separated Children Seeking International Protection (SCSIP) team to enhance Tusla's services for the growing numbers of children requiring their services.<sup>203</sup> This team works with minors who are seeking (or intend to seek) international protection or temporary protection and are in the child protection system. The social work team also operates a family reunification assessment service, whereby immigration authorities, in accordance with the *International Protection Act 2015*, refer children presenting with families or adults in cases where parentage or guardianship is unclear.<sup>204</sup>

In the plan, Tusla commits to increasing its compliance with the National Standards for Child Protection and Welfare, Residential Care and Foster Care, particularly through the new model of care and the further development of a Tusla-wide quality management system. The plan also indicates that Tusla intends to increase the number of residential places for unaccompanied minors and separated children by 100, with continuous evaluation of additional need in order to have sufficient

<sup>203</sup> Correspondence with Tusla, February 2025; Tusla (n.d.). *Corporate Plan 2024–2026*, last accessed 10 December 2024.

<sup>204</sup> HIQA (2024). *Report of an inspection of a child protection and welfare service*, Dublin: Health Information and Quality Authority, last accessed 14 February 2025.

accommodation capacity for arriving children.<sup>205</sup> According to their 2024 annual report, there was an increase of 128 extra beds for unaccompanied children across 20 new registered children centres, which were opened in 2024, and Tusla has rapidly increased the number of staff on the SCSIP team.<sup>206</sup>

In addition, the Health Information and Quality Authority (HIQA) – the organisation tasked with monitoring service quality – conducted their first inspection of the SCSIP team, which included an announced inspection visit and two follow-up inspections to monitor progress in 2023. The team was non-compliant across multiple areas according to the reports published in April 2024.<sup>207</sup>

In 2024, Tusla also consulted with relevant stakeholders to explore how agencies can work together to improve services for unaccompanied and separated children. This stakeholder engagement concluded in 2024, and Tusla is working through the recommendations to assess what is appropriate to action.<sup>208</sup>

### 6.2.2 Tusla capacity challenges

Due to significant increases in recent years in the number of unaccompanied minors requiring Tusla's support (see Figure 6.1), Tusla has experienced significant capacity challenges in responding to the increased need.<sup>209</sup> In their annual report, they noted there was a risk that they would be unable to meet demand and would need to rely on 'special emergency arrangements' (SEAs). SEAs are operated by private companies and can include short-term rental properties and B&Bs.<sup>210</sup> On 18 February 2024, 115 of the 176 children accommodated in SEAs were unaccompanied minors.<sup>211</sup> SEAs are not regulated and are not subject to HIQA inspections. Concerns were raised about SEAs in several instances in the Dáil throughout 2024.<sup>212</sup> According to the Minister for Children, the Children's Rights Alliance convened a group to try to resolve the issue; this group included Tusla, which consulted with the Ombudsman for Children, and private providers, and reported key recommendations to the Minister.<sup>213</sup> While HIQA does not inspect SEAs themselves, they did publish findings from a specific risk-based

205 Tusla (n.d.). *Corporate Plan 2024–2026*, last accessed 10 December 2024.

206 Tusla (2025). *Annual report and financial statements 2024*, Dublin: Health Service Executive, pp. 40 and 85.

207 HIQA (2024). *Report of an inspection of a child protection and welfare service*, Dublin: Health Information and Quality Authority, last accessed 14 February 2025; HIQA (2024). 'Children's services publication statement 30 April 2024', last accessed 14 February 2025.

208 Tusla (2025). *Annual report and financial statements 2024*, Dublin: Health Service Executive, p. 40.

209 Tusla (2025). *Annual report and financial statements 2024*, Dublin: Health Service Executive, p. 128.

210 HIQA (2025). *Overview report on the governance of the Child and Family Agency (Tusla) child protection and welfare and foster care services*, Dublin: Health Information and Quality Authority, pp. 80; HIQA (2024). *10 years of regulating and monitoring children's social care services: Summary for children and young people*, Dublin: Health Information and Quality Authority.

211 DCEDIY (2024). 'Response to parliamentary question 8788/24', 29 February.

212 See Committee of Public Accounts (2024). 'Financial statements 2022 – Tusla – Child and Family Agency', Dáil Éireann debate, 29 February, priority questions.

213 Houses of the Oireachtas (2024). 'Dáil Éireann debate – Thursday 29 Feb 2024 – Priority questions', <https://www.oireachtas.ie/en/debates/debate/dail/2024-02-29/19/>.

monitoring programme examining Tusla's governance arrangements. Inspectors detailed concerns about Tusla's governance of SEAs and the lack of provision for vulnerable children at high risk of harm who continued to reside in these unregulated settings.<sup>214</sup> Barnardos also called for urgency in addressing the issue.<sup>215</sup>

According to Tusla's annual report, a senior operational group was established to manage the risk. In addition, a SCSIP project team was established.<sup>216</sup>

### 6.2.3 Review of age assessment guidelines

Where an IPA claims to be a minor but their age is disputed, the International Protection Office (IPO) often refers the person to be assessed by Tusla (the Irish Child and Family Agency). Tusla then informs the IPO of whether the person has been deemed eligible for their services (i.e. has been deemed a minor). In March 2023, Tusla introduced their first national framework for assessing the age of disputed minors and thus assessing their eligibility for services under the *Child Care Act 1991* and under the *Child Care Amendment Act 2024*.<sup>217</sup> Before this, Tusla social workers had no official standardised process to follow when assessing age for this purpose. These guidelines aim to give greater clarity to those doing the assessments, as well as greater transparency about how the assessments are conducted.<sup>218</sup>

In March 2024, the national framework underwent a review to ensure it meets its objectives and to incorporate stakeholders' views on the process and areas of improvement.<sup>219</sup> Tusla amended the policy after engaging with stakeholders and stated that they would finalise the new policy in 2025.<sup>220</sup>

### 6.2.4 Vulnerability assessments paused

Due to capacity constraints, the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) decided to suspend its vulnerability assessment programme to source an external contractor to provide the assessments. Vulnerability assessments remained paused for single applicants at the end of 2024. This development is covered in more detail in Section 4.2.3.

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214 HIQA (2025). *Overview report on the governance of the Child and Family Agency (Tusla) child protection and welfare and foster care services*, Dublin: Health Information and Quality Authority.

215 Barnardos (2024). 'Barnardos calling for urgent address of special emergency arrangements (SEAs)', press release, 9 May.

216 Tusla (2025). *Annual report and financial statements 2024*, Dublin: Health Service Executive, p. 128.

217 Tusla (2023). 'Procedural guidance and assessment framework for the determination of intake eligibility for services under the Child Care Act 1991 for separated children seeking international protection', March, last accessed 2 January 2025.

218 Tusla (2023). 'Procedural guidance and assessment framework for the determination of intake eligibility for services under the Child Care Act 1991 for separated children seeking international protection', March, last accessed 2 January 2025.

219 Correspondence with Tusla, February 2025.

220 Correspondence with Tusla, February 2025 and October 2025.

### 6.2.5 HIQA inspections

As of January 2024, HIQA assumed responsibility for monitoring and inspecting certain International Protection Accommodations Service (IPAS) centres.<sup>221</sup> In total, they carried out 60 inspections of 51 centres during the year, finding varying levels of compliance.<sup>222</sup> HIQA found that there was also an absence of safeguarding policies in a number of centres, particularly in relation to the safeguarding of vulnerable adults, and that not all staff were Garda vetted in some centres.<sup>223</sup> See Section 4.2.8 for more information.

### 6.2.6 Other developments

In 2024, Algeria, Botswana, Brazil, Egypt, India, Malawi and Morocco were added to the designated safe country list.<sup>224</sup> The Irish Refugee Council and Amnesty International made expressed concerns that while a country may be safe for the general population, it is not always safe for women, members of the LGBT+ community, or other minorities.<sup>225</sup> See Section 4.2.6 for further details.

## 6.3 RESEARCH

### 6.3.1 Scoping review of migrant health research in Ireland

Researchers from the University of Limerick and the University of Vienna undertook a review of health research related to migrants in Ireland between a previous review in 2017 and April 2023. They used the World Health Organization's Strategy and Action Plan for Refugee and Migrant Health 2016–2023, which identifies nine priority strategic areas. They found an increase in studies over time from an average of 5 per year in the previous review, to an average of 10 per year in this review. They also found a change in the focus of the studies, with a growing interest in research about collaborative action on migrant health issues and advocacy for the right to health. Most articles align with three of the nine strategic areas, as was the case in 2017: addressing the social determinants of health (24%); achieving public health preparedness (29%); and strengthening health systems (26%). The numbers of papers on communicable (11%) and noncommunicable diseases (19%) remains consistent,

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- 221 Monitoring compliance with national standards for accommodation centres complies with Article 28 of Directive 2013/33/EU; Department of Justice and Equality (2021). 'National standards for accommodation offered to people in the protection process', <https://www.gov.ie>, last accessed 7 January 2025.
  - 222 HIQA (2025). 'HIQA publishes overview report on first year of inspecting International Protection Accommodation Service centres'.
  - 223 HIQA (2024). 'HIQA publishes first inspection reports on International Protection Accommodation Service centres'.
  - 224 *International Protection Act 2015 (Safe Countries of Origin) (Amendment) Order 2024*, S.I. No. 32 of 2024; *International Protection Act 2015 (Safe Countries of Origin) (Amendment) (No. 2) Collect Order 2024*, S.I. No. 327 of 2024; Department of Justice (2024). 'Minister McEntee announces new additions to safe countries of origin list', press release, last accessed 14 February 2025.
  - 225 The Irish Refugee Council (2024). 'Safe country of origin submission', <https://www.irishrefugeecouncil.ie/safe-country-of-origin-submission>; Amnesty International (2024). 'Amnesty International Ireland appalled at intention by Irish government to place Egypt on 'safe countries of origin' list', press release, 2 July.

while research on health screening and assessment (5%) and improving health information and communication (2%) remains low. The authors argue that gaps in research about screening, assessment and health information warrant particular attention, and that mobilising resources to continue the increase in research is needed for evidence-based policy and practice. They recommended setting up a national database cataloguing migrant health research in Ireland, in line with the National Intercultural Health Strategy.<sup>226</sup>

### 6.3.2 Peer support work in the delivery of health and social care services

Daryl Mahon and Danika Sharek published an article on peer support work for health and social care, which includes migrant health as one of the focus sectors. The research is based on interviews with 35 peer workers and other key stakeholders across the mental health, substance use, migrant health and homelessness sectors in Ireland.<sup>227</sup> The authors explain that peer work is a slowly emerging area of practice, although mental health is further ahead with peer work than the other three ‘social inclusion’ sectors. In migrant health, they found that peers (people from similar migrant backgrounds) are seen as knowing how to access people in need of support because of their shared lived experience. They found that those who may be hesitant to go to mainstream services, for example undocumented migrants, are often directed towards peers by people in their network. The research found that in the Irish context, a hybrid arrangement occurs in the migrant sector where peers are seconded from the HSE to a non-governmental organisation. The research found that this enabled them to remain connected with the community and the hybrid arrangement was appraised as working well. Interviewees felt that training for peers needed to remain unstandardised, as different groups of migrants tend to present with different education, literacy and language support needs. Some migrants may also have had prior negative educational experiences. The authors reported that, in addition, some managers were concerned about setting criteria based exclusively on academic standards, as this may act as a block for some peers who would otherwise have a wealth of knowledge and rapport with the community. Managers expressed further concern that there is a disconnect between national policies and implementation on the ground. Findings suggest that peers represent an important addition to service delivery, but that they also need support. The study outlines how peers can be supported and what structures could be put in place.<sup>228</sup>

226 Cronin, A., A. Hannigan, N. Ibrahim, Y. Seidler, B. Olamide Owoeye, W. Gasmalla, T. Moyles and A. MacFarlane (2024). ‘An updated scoping review of migrant health research in Ireland’, *BMC Public Health*, Vol. 24, 1425.

227 Mahon, D. and D. Sharek (2024), ‘An exploration of the implementation of peer work across multiple fields in Ireland’, *Mental Health and Social Inclusion*, Vol. 28, No. 5, pp. 485-504, <https://doi.org/10.1108/MHSI-12-2022-0082>.

228 Mahon, D. and D. Sharek (2024). ‘An exploration of the implementation of peer work across multiple fields in Ireland’, *Mental Health and Social Inclusion*, Vol. 28, No. 5, pp. 485-504, <https://doi.org/10.1108/MHSI-12-2022-0082>.

### 6.3.3 Interpreting for minors in legal encounters in Ireland during the COVID-19 pandemic

Eddie López-Pelén wrote a book chapter on interpretation in legal encounters with minors during the COVID-19 pandemic.<sup>229</sup> The research was based on interviews with two interpreters and four professionals. Patterns were identified during COVID-19, including dispatching untrained interpreters, a lack of briefings with interpreters and issues with rapport building and non-verbal communication.

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229 López-Pelén, E. (2024). 'Interpreting for minors in legal encounters in Ireland during the COVID-19 pandemic: A case study of patterns of practice and implications', chapter in *Teaching interpreting and live subtitling* (eds. C. Eugeni, M. Ward and C. Walker), Routledge.



## CHAPTER 7

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### Citizenship and statelessness

#### 7.1 STATISTICS

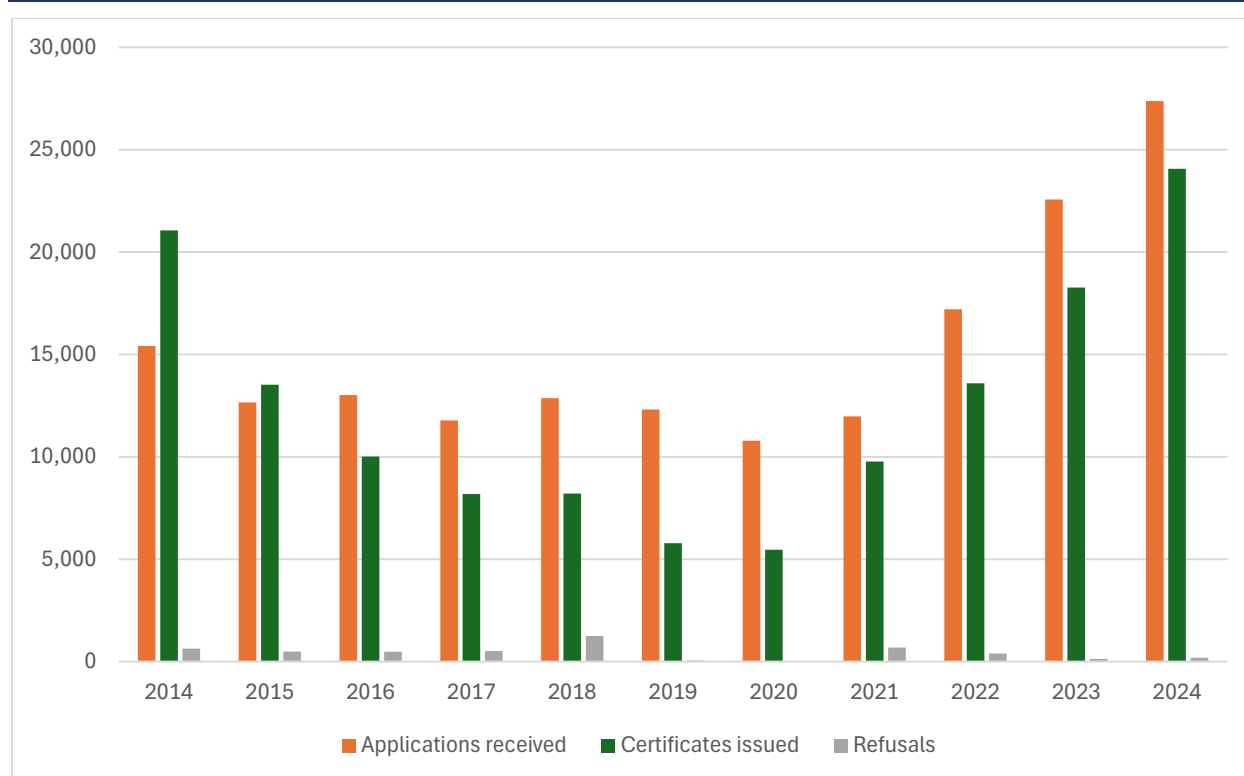
##### 7.1.1 Citizenship acquisition

Figure 7.1 shows applications for citizenship, certificates issued and refusals in Ireland between 2015 and 2024. It shows a continued increase in applications in 2024, with 27,376 applications made that year. This is the highest since 2014, and a 21% increase since 2023. It also shows an increase in certificates issued, up 32% (to 24,067) from 2023, as well as a slight rise in refusals (from 129 in 2023 to 187 in 2024). Accordingly, the number of citizenship ceremonies increased from 15 in 2023 to 24 ceremonies in 2024. The Department of Justice cited the introduction of an online digital application, online payments and eVetting as having helped speed up the decision-making process.<sup>230</sup> The highest number of applications in 2024 came from Indian nationals, followed by nationals of the UK and Brazil.<sup>231</sup>

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230 Department of Justice, Home Affairs and Migration (2024). 'Record numbers receive Irish citizenship decisions in 2024', press release, 2 December.

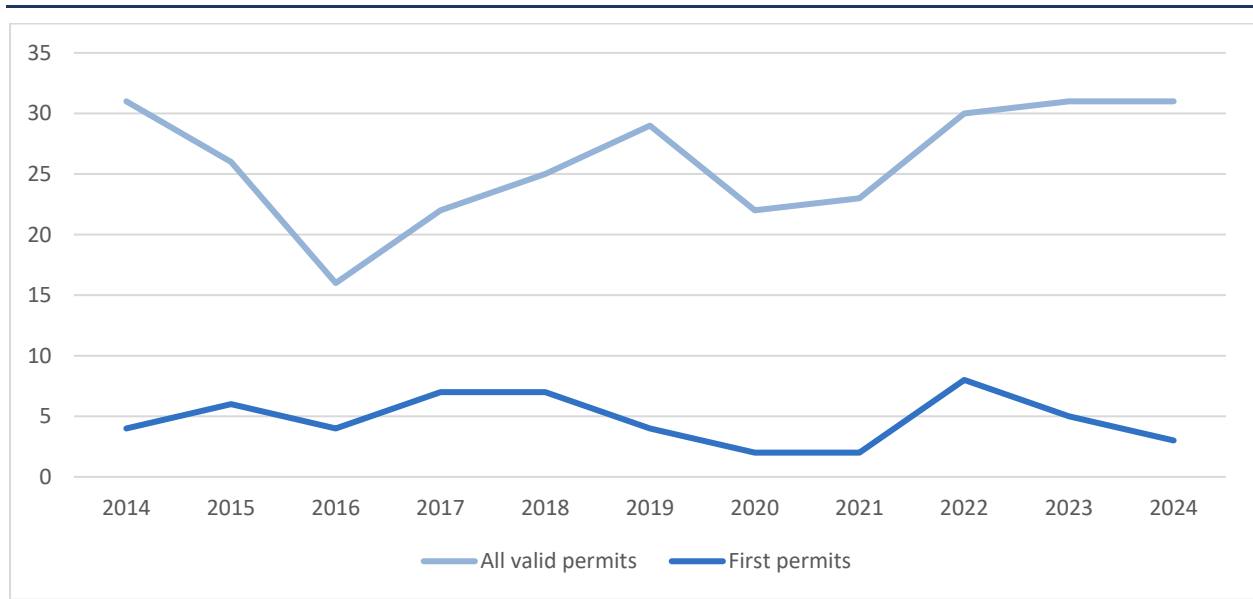
231 Department of Justice, Home Affairs and Migration (2024). 'Record numbers receive Irish citizenship decisions in 2024', press release, 2 December.

**FIGURE 7.1 CITIZENSHIP APPLICATIONS, CERTIFICATES ISSUED AND REFUSALS, 2015–2024**

Source: Correspondence with Department of Justice, September 2024 and October 2025.

### 7.1.2 Statelessness

Figure 7.2 shows the number of first permits issued to stateless persons in Ireland and all valid permits as of 31 December 2024. There were three permits issued to persons whose nationality was recorded as stateless in 2024, representing a continuation of the decrease in this figure since a high of eight in 2022. The number of total valid permits, 31, is unchanged from 2023.

**FIGURE 7.2 FIRST PERMITS ISSUED AND ALL VALID PERMITS AS OF 31 DECEMBER FOR STATELESS PERSONS IN IRELAND, 2015–2024**

Source: Eurostat (2025). 'All valid permits by reason, length of validity and citizenship on 31 December of each year', extracted 31 July 2025; Eurostat (2025). 'First permits by reason, length of validity and citizenship', extracted 31 July 2025.

## 7.2 DEVELOPMENTS

### 7.2.1 Legal changes to the process of citizenship revocation for naturalised citizens

In July 2024, the process for deciding on the revocation of citizenship for naturalised citizens was updated by the *Court, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024*.

The Act grants powers to the Minister for Justice to allow for the revocation of citizenship. Such powers already existed under the *Irish Nationality and Citizenship Act 1956*, but could not be used following a 2020 Supreme Court ruling that found that some aspects of the procedure were unconstitutional.<sup>232</sup> The previous procedure granted individuals whose citizenship had been revoked the ability to request a committee of inquiry to examine the decision, but the findings of the committee were not binding on the Minister for Justice. The Supreme Court ruled that this procedure did not provide the procedural safeguards required to meet the high standards of natural justice required for citizenship revocation. The 2024 amendment introduces additional safeguards and specifies that future committees of inquiry will operate independently of the Minister for Justice. These amendments were not commenced until 2025.<sup>233</sup>

<sup>232</sup> *Damache v. Minister for Justice* [2021] IESC 6.

<sup>233</sup> Correspondence with Department of Justice, Home Affairs and Migration, October 2025.

Non-governmental organisations and the Irish Human Rights and Equality Commission (IHREC) raised concerns with the fact that the draft amendments regarding citizenship revocation in the Bill were added at committee stage, and published just two weeks before it was enacted. This meant that it did not go through pre-legislative scrutiny with the rest of the Bill, and there was limited time for pre-legislative scrutiny of the amendments.<sup>234</sup> IHREC also published two letters sent to the Minister for Justice in July outlining their concerns with the Bill.<sup>235</sup> IHREC's concerns included that the wording of the Bill would empower Ministers to revoke citizenship in inappropriate or disproportionate circumstances, and that the procedure was unlikely to withstand judicial scrutiny when analysed against the high standards envisaged in the Supreme Court decision. They were therefore concerned that further litigation would be inevitable.<sup>236</sup> The Irish Council of Civil Liberties also wrote to all senators when the Bill went to the Seanad, outlining concerns with both the process and the contents of the proposal. These included: that the procedure would fall short of the standards of independence required by the Supreme Court interpretation of the Constitution in the previous case; a lack of safeguards against statelessness; that the Oireachtas should have the opportunity to review the grounds for revoking citizenship; the vagueness of the 'failed in their duty of fidelity to the State' ground; and the implication of two-tier citizenship.<sup>237</sup>

### 7.3 CASE LAW

#### 7.3.1 Subsidiary protection as residence without restriction: *T.R.I. (a minor suing by his mother and next friend LB) v. the Minister for Foreign Affairs and Minister for Justice* [2024] IEHC 96

**Facts:** The applicant was a child who was born in Ireland and whose mother held subsidiary protection status in the State. The child's mother applied for an Irish passport for the child, relying on section 6A(2)(d)(i) of the *Irish Nationality and Citizenship Act 1956*.

Section 6A(1) of the 1956 Act provides that a person who was born in Ireland shall not be entitled to citizenship unless their parent has, during the four years immediately preceding their birth, been resident for a period of at least three years. However, section 6A(2)(d)(i) provides that this does not apply to a child born in Ireland who has

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234 IHREC (2024). 'As Bill to revoke Irish citizenship passes the Seanad today, Commission reiterates grave concerns and anticipates further litigation', press release, 17 July.

235 IHREC (2024). 'Letter to the Minister for Justice regarding proposed amendments on revocation of naturalised citizenship, (10 July 2024)'; IHREC (2024). 'Letter to the Minister for Justice regarding proposed amendments on revocation of naturalised citizenship (16 July 2024)'.

236 See IHREC (2024). 'As Bill to revoke Irish citizenship passes the Seanad today, Commission reiterates grave concerns and anticipates further litigation', press release, 17 July.

237 ICCL (2024). 'Re: Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Bill 2024', letter, Irish Council of Civil Liberties.

at least one parent who was resident at the time of their birth and who was entitled to reside 'without any restriction' on their period of residence.

The passport application was refused. The decision stated that section 6A(2)(d)(i) did not apply to a person with subsidiary protection, as they were not entitled to reside without any restriction on their period of residence. The applicant sought judicial review of this decision in the High Court. They submitted that under section 54, *International Protection Act 2015*, a qualified person – defined as a refugee or a subsidiary protection holder – shall be given a permission to reside in the State for a specified period of not less than three years, and this 'shall be renewable', unless there are compelling reasons related to national security or public order not to do so or where the person ceases to be a subsidiary protection holder. It was argued that the mandatory nature of the language 'shall', subject to limited conditions, indicates that the period of residence foreseen in legislation is unlimited.

**Reasoning:** In the High Court, Bolger J distinguished the instant case from that of *AJK v. The Minister for Defence* [2020], which concerned a subsidiary protection holder who wanted to join the defence forces. In that case, it was found that subsidiary protection status is effectively an open-ended right of residence. However, *AJK v. The Minister for Defence* did not concern citizenship. Bolger J recalled that citizenship is a status of enormous importance. In this regard, it was found that AJK did not establish an open-ended right of residence for subsidiary protection holders.

With regard to section 54, *International Protection Act 2015*, Bolger J set out how the section uses the term 'permission' in the singular and that the issuance of the permission is subject to two possibilities: first, the requirement of compelling reasons of national security or public order, or, second, the cessation of the person's status as a holder of subsidiary protection.

**Decision:** The High Court found that the applicant's mother's right to reside in the State was temporally restricted and therefore that the child was not eligible to apply for citizenship pursuant to section 6A (2)(d)(i), *Irish Citizenship and Nationality Act 1956*. The decision to refuse the passport application was therefore upheld.

### 7.3.2 Good character requirement: *M v. Minister for Justice* [2024] IEHC 105

**Facts:** The applicant, a South African national, moved to Ireland in 2001. In 2017, she applied for a certificate of naturalisation. This was refused in 2022 on the grounds that the applicant did not meet all of the statutory conditions contained in section 15, *Irish Nationality and Citizenship Act 1956*, specifically the good character criterion. This was due to several road traffic offences and, in particular, an offence of careless driving that resulted in a conviction and a fine. The applicant had previously applied for naturalisation and on both occasions the application was refused on good character

grounds. The applicant had also previously applied for long-term residency on three occasions; the first two of these were refused on good character grounds, and the third was granted in 2019.

The applicant sought judicial review of the refusal of her naturalisation application. She submitted that the decision was inconsistent, irrational and disproportionate, and that inadequate reasons were provided for the refusal. The applicant also sought a declaration that only the Minister is expressly authorised to make a decision under section 15 of the 1956 Act.

**Reasoning:** First, on the issue of fair procedures and reasons given, O'Regan J recalled the ruling in *Hussain v. Minister for Justice* [2011], where it was held that as there was no settled or fixed interpretation of the words 'good character' in the context of naturalisation, the meaning had to be taken from the statutory context and objectives of the legislation. In this regard, as part of a naturalisation application, applicants have to declare fidelity to the nation and loyalty to the State, and they must be prepared to make a public commitment to discharge ordinary civic duties and responsibilities. It was held that it was not irrational of the Minister to review repeat offending, albeit over a protracted period of time, as not being a discharge of ordinary civic duties and responsibilities. O'Regan J held that the applicant was aware of the reasons for the refusal of her application because the two previous refusals for naturalisation on good character grounds were based on prior convictions and would likely impact on her latest application.

Second, on the Minister's powers in decision making, O'Regan J referred to the Carltona principle, pursuant to which responsible officials may exercise some of the statutory powers of a Minister and thus act as the Minister's alter ego, save for where there is express statutory terminology to indicate otherwise. It was held that there is no express statutory provision to delimit the application of the principle in respect of section 15 decisions.

**Decision:** The appeal was unsuccessful. The decision of the Minister to refuse the naturalisation application was found to not be irrational, and it was found that the applicant had been given sufficient reasons, including in previous refusals. The Minister can delegate powers in making decisions on whether an applicant for naturalisation meets all the conditions set out under section 15, *Irish Nationality and Citizenship Act 1956*.

## CHAPTER 8

### Integration and inclusion

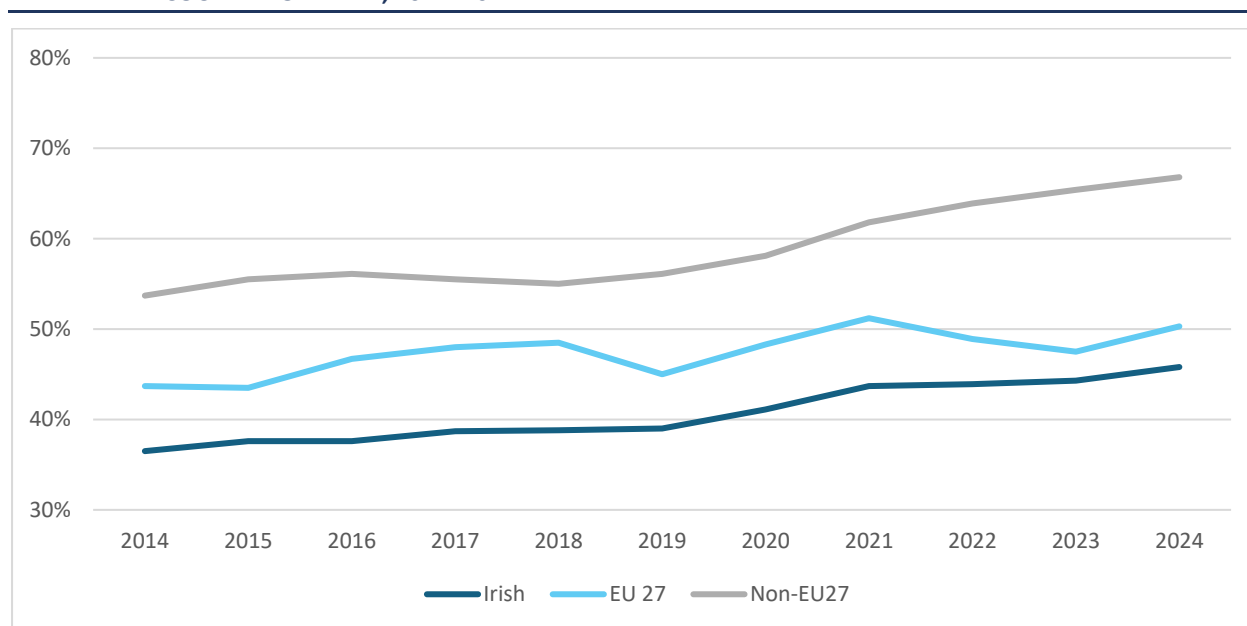
#### 8.1 STATISTICS

The Zaragoza indicators were agreed at the European Ministerial Conference on Integration in 2010. The indicators assess migrant integration in key areas such as education, labour, social inclusion and active citizenship. The following section presents a series of statistical measures comparing Irish-born individuals to EU migrants and non-EU migrants based on some of these indicators. The UK is included in the non-EU27 category. For a more comprehensive statistical analysis of indicators based on the Zaragoza indicators in Ireland, please see the *Monitoring report on integration* series, which is published every two years.<sup>238</sup>

##### 8.1.1 Tertiary education

Figure 8.1 shows the percentage of migrant and Irish-born populations aged 18–69 with a tertiary education. Migrants of a non-EU background (66.8%) have significantly higher levels of educational attainment than both EU migrants (50.3%) and Irish-born individuals (45.8%). The share of non-EU migrants with a tertiary education has increased by 13 percentage points in the last decade, as compared to a 6.6 percentage point increase among EU migrants and a 9.3 percentage point increase among Irish individuals in the same period. The share of EU migrants with a tertiary degree increased in 2024 to 50.3%, having decreased in the two years prior from a high of 51.2% in 2021.

238 See McGinnity, F., E. Carron-Kee, A. Alamir, C. Dalton, M. Darmody, G. Hingre, K. Murphy and E. Quinn (2025). *Monitoring report on integration 2024*, Dublin: ESRI.

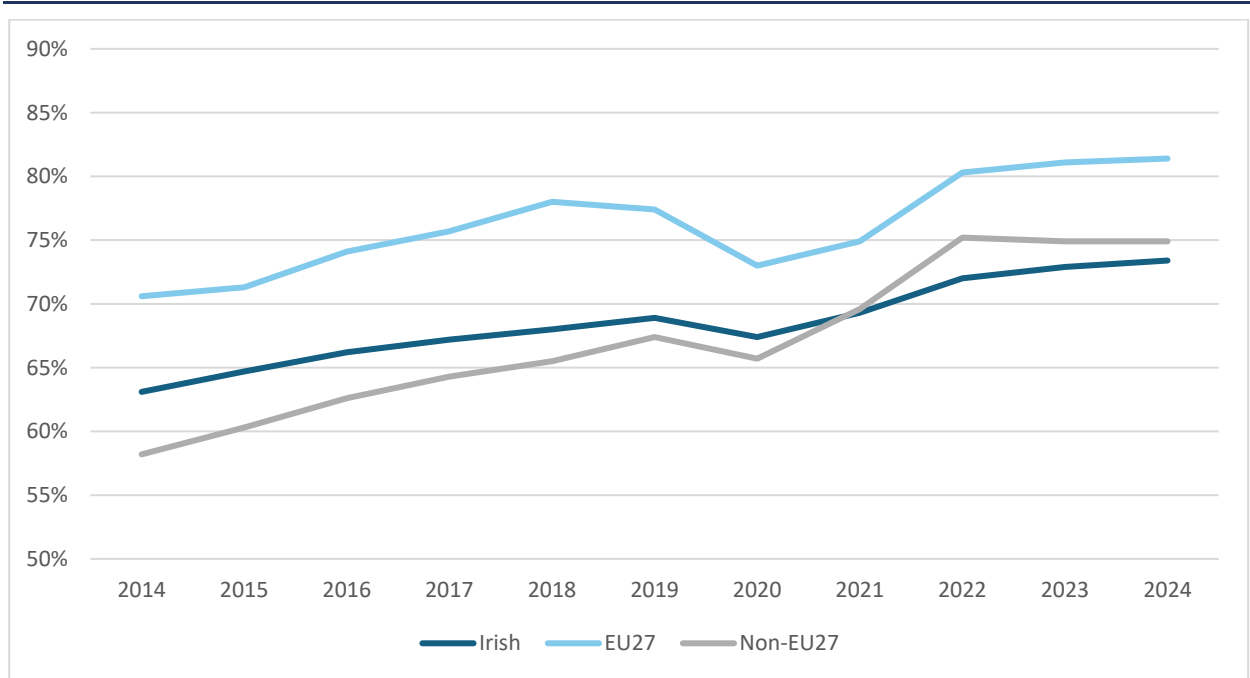
**FIGURE 8.1 PERCENTAGE OF THE POPULATION AGED 18–69 WITH TERTIARY EDUCATION ACCORDING TO COUNTRY OF BIRTH, 2014–2024**

Source: Eurostat (2025). 'Population by educational attainment level, sex, age and country of birth', extracted 1 July 2025.

### 8.1.2 Labour market integration

Figure 8.2 presents the employment rate for individuals between the ages of 15 and 64. EU migrants experience the highest rate of employment of the three groups at 81.4%, followed by non-EU migrants (74.9%) and Irish-born individuals (73.4%). For both EU migrants and Irish-born individuals, 2024 represented a ten-year high. Over the same ten-year period, non-EU migrants have experienced the largest overall increase in employment rates, from 58.2% in 2014 to 74.9% today.



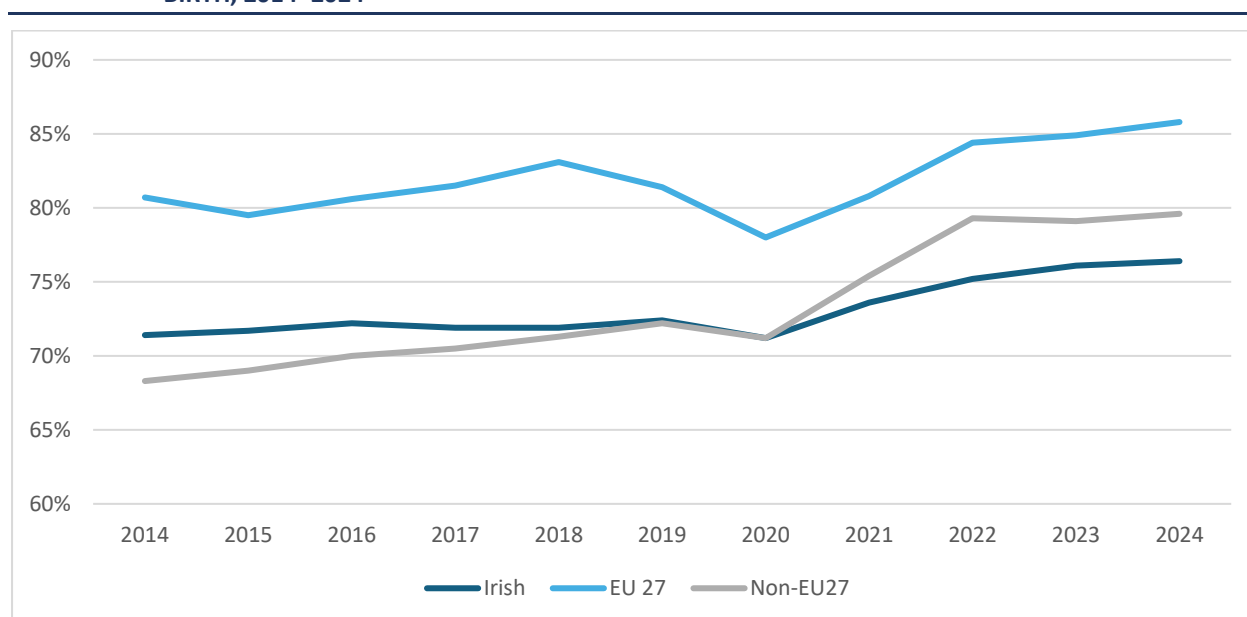
**FIGURE 8.2 EMPLOYMENT RATE OF THE POPULATION (AGED 15–64), ACCORDING TO COUNTRY OF BIRTH, 2014–2024**

**Source:** Eurostat (2025). 'Population by sex, age, country of birth and labour status', extracted 1 July 2025.

**Note:** The employment rate represents the proportion of employed individuals relative to the total comparable population.<sup>239</sup>

In Figure 8.3, the labour market activity rates for each group are shown. All three groups have seen minimal shifts in activity rates in the last two years, and rates remain significantly higher for EU migrants (85.8%) than for non-EU migrants (79.6%) and Irish-born individuals (76.4%). While EU migrants have consistently held higher rates of economic activity, it is only in the last four years that non-EU migrants have recorded higher rates than those of Irish-born individuals.

<sup>239</sup> Eurostat (2020). 'Statistics explained, glossary: Employment rate'.

**FIGURE 8.3 LABOUR MARKET ACTIVITY RATES OF THE POPULATION (AGED 15–64) ACCORDING TO COUNTRY OF BIRTH, 2014–2024**

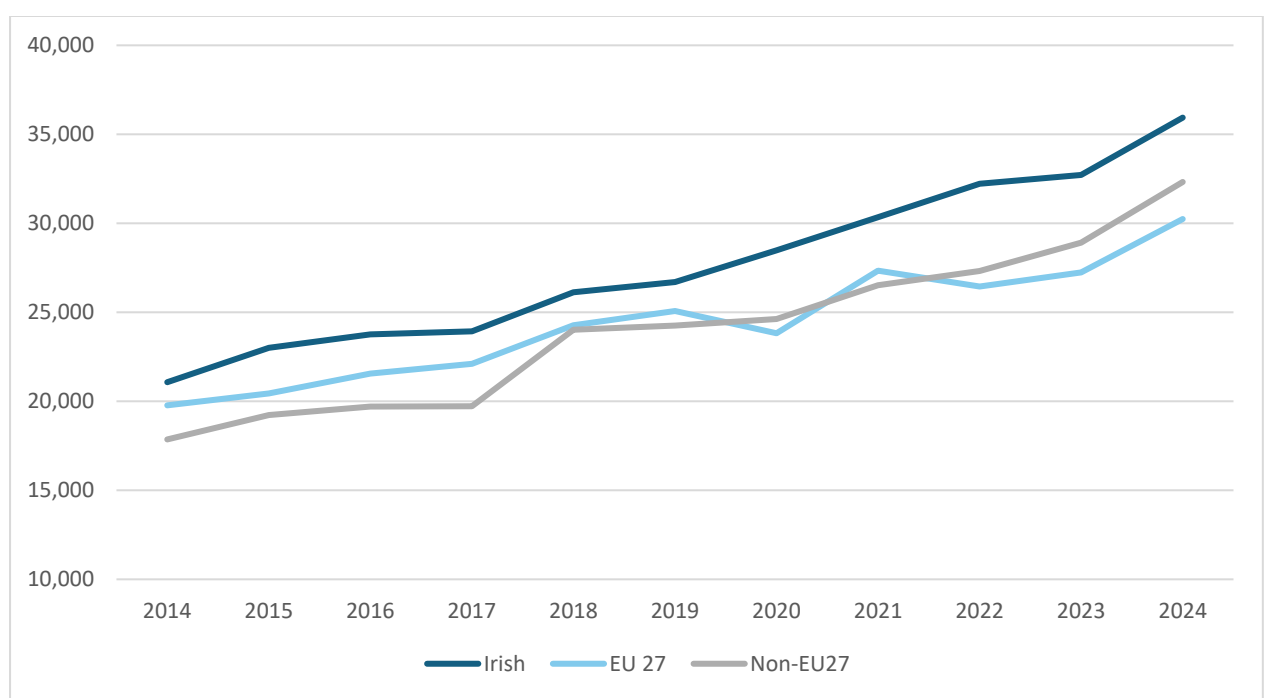
Source: Eurostat (2025). 'Activity rates by sex, age and country of birth', extracted 1 July 2025.

Note: The activity rate is the proportion of that population in the labour force (i.e. employed and unemployed). It therefore includes all persons offering their work capacity on the labour market.<sup>240</sup>

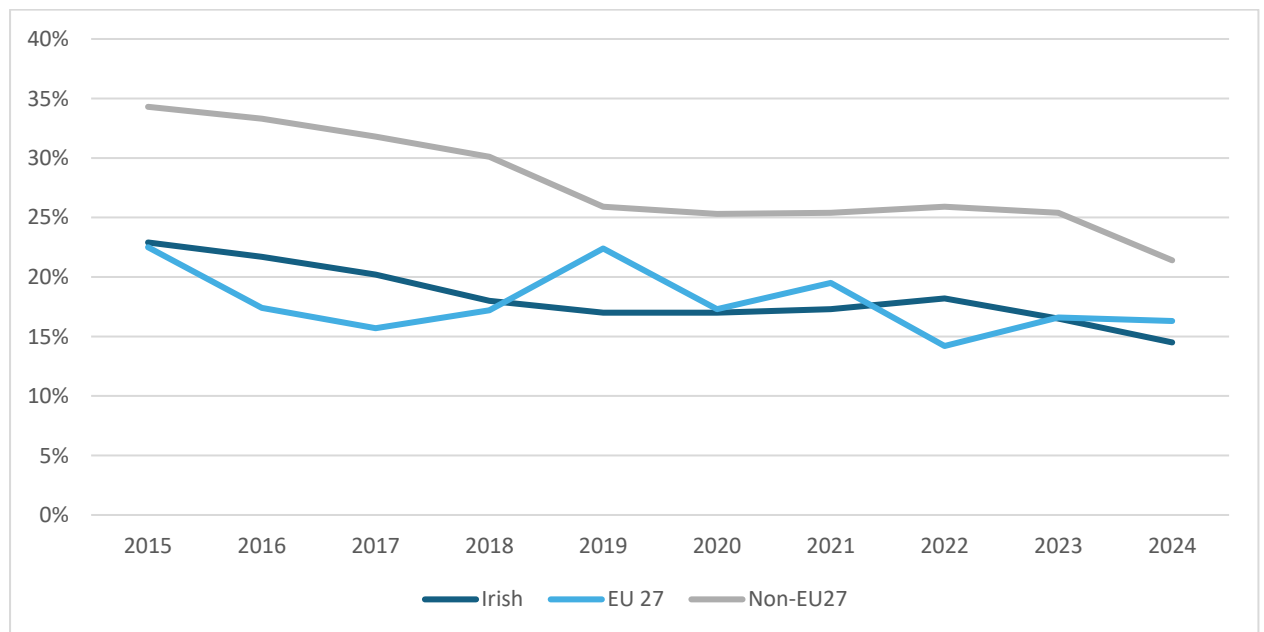
### 8.1.3 Social inclusion

In Figure 8.4, a considerable increase in the median income of all three groups since 2014 can be observed. The median income for Irish-born individuals (€35,938) is higher than that of EU migrants (€30,241) and non-EU migrants (€32,323), and has been consistently higher than for either migrant group throughout the last decade. Figure 8.5 captures the 'at risk of poverty or social exclusion' (AROPE) rate, a measure that indicates the number of individuals who are either at risk of poverty, severely materially and socially deprived, or living in a very low work intensity household. The AROPE rate for non-EU migrants (21.4%) is higher than the equivalent rate for EU migrants (16.3%) and Irish-born individuals (14.5%), but has decreased considerably in the last nine years; the AROPE rate for non-EU migrants in 2015 was 34.3%.

240 Eurostat (n.d.). 'EU Labour Force Survey – New methodology from 2021 onwards', *Statistics Explained*.

**FIGURE 8.4 MEDIAN INCOME OF THE POPULATION ACCORDING TO COUNTRY OF BIRTH, 2014–2024**

Source: Eurostat (2025). 'Median income by group of country of birth', extracted 1 July 2025.

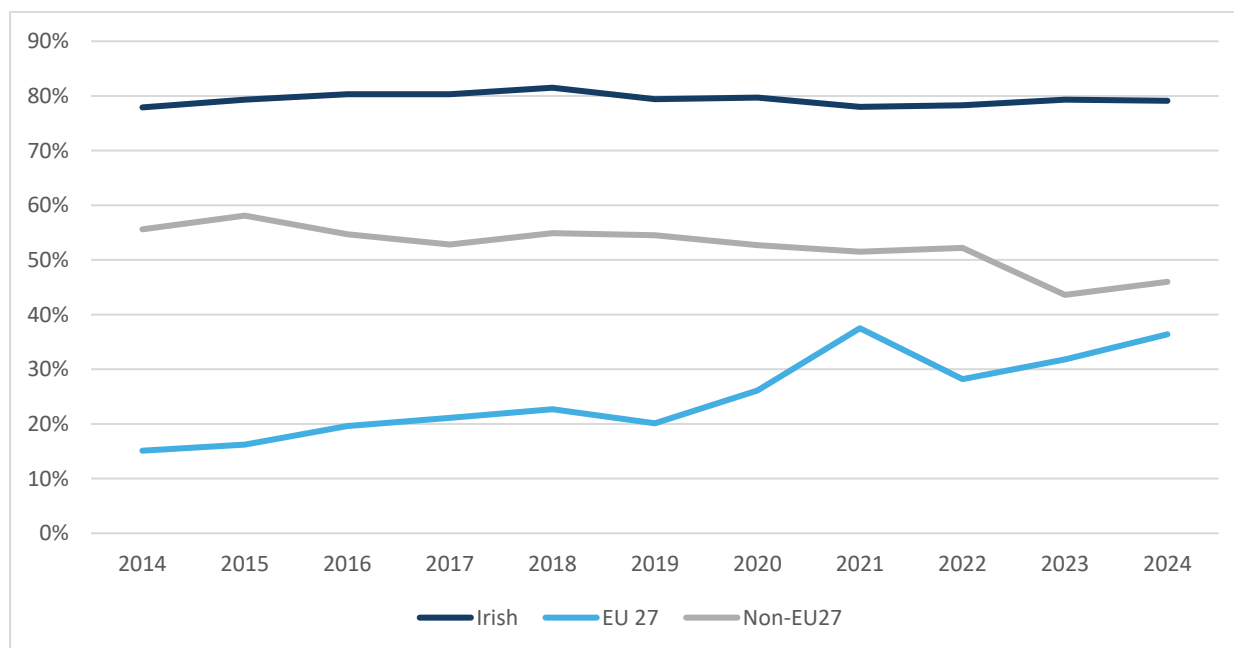
**FIGURE 8.5 AT RISK OF POVERTY OR SOCIAL EXCLUSION RATE OF THE POPULATION AGED 18 AND OVER BY COUNTRY OF BIRTH, 2015–2024**

Source: Eurostat (2025). 'Persons at risk of poverty or social exclusion by group of country of birth', extracted 1 July 2025.

Figure 8.6 shows the share of the population who own their homes according to country of birth. The majority of Irish-born individuals (79%) are homeowners, and the last ten years have seen little variance in this figure. A greater proportion of non-EU

migrants own their homes in comparison to EU migrants, but this figure has decreased from heights of 58.1% in 2015 to 46% in 2024. Homeownership among EU migrants has increased over the same time period, from 16.2% in 2015 to 36.4% in 2024. It must be noted that individuals from the UK are included in non-EU figures and home ownership rates are high among this group. In previous years, including the UK in the EU group rather than the non-EU group has therefore reversed the order of these groups.

**FIGURE 8.6 PERCENTAGE OF THE POPULATION WHO OWN THEIR HOMES BY COUNTRY OF BIRTH, 2015–2024**



**Source:** Eurostat (2025). 'Distribution of population by country of birth and tenure status', extracted 1 July 2025.

**Note:** The data visualised in this graph uses the classifications from the EU Survey on Income and Living Conditions. Thus, the statistical units are private households and individuals living in these households.

## 8.2 DEVELOPMENTS

### 8.2.1 Local integration initiatives

#### 8.2.1.1 Local authority integration teams

Local authority integration teams (LAITs) had been established across 30 of the 31 local authorities by the end of 2024. The LAIT initiative was first proposed in the 2021 White Paper to End Direct Provision, and recruitment began in 2023.<sup>241</sup> As of 2024, each team consists of one integration support coordinator, two integration support workers, and one administrative support role. Annual cost per local authority for the LAITs is €330,000.<sup>242</sup> The teams comprise an integral element of the Irish Government's new

241 Potter, D., K. Murphy, A. Sheridan and Y. de Barra (2025). *Annual report on migration and asylum 2023: Ireland*, Dublin: ESRI.

242 Houses of the Oireachtas (2024). 'Local authorities', Dáil Éireann debate, 30 January, [www.oireachtas.ie](http://www.oireachtas.ie).

local integration model, and receive funding and support from the Department of Children, Disability and Equality (DCEDIY).<sup>243</sup> The role of the LAITs is to provide practical, on-the-ground support by mapping local services and linking new arrivals with them. Their remit covers international protection applicants (IPAs), beneficiaries of temporary protection, beneficiaries of international protection, and resettled refugees. Examples of supports include signposting to English language classes, education, employment and volunteering opportunities, and access to healthcare.<sup>244</sup> The initiative was designed in line with the ‘integration from day one’ principle, as established in the 2021 White Paper.<sup>245</sup> LAITs do not replace mainstream service provision and do not have responsibility for accommodation provision. Instead, the teams act at the local level as the ‘direct point of contact’ and the linking mechanism between the various service providers.<sup>246</sup>

### 8.2.1.2 Community integration forums

Community Integration Fora form another central element of the Government’s expanded integration remit in local authorities. Originally established during the COVID-19 pandemic as Community Response Forums, these local-level networks were re-aligned in February 2024 into a more sustainable structure, and expanded to cover IPAs, refugees and beneficiaries of temporary protection. The restructured and expanded forums incorporate both the existing Community Response Forum for BoTPs and the Interagency Working Groups in place for the Irish Refugee Protection Programme. The forums operate at a strategic level to facilitate cohesive community-led responses to local integration-related needs by bringing together all public, community, and voluntary organisations involved in service provision locally. Each forum is chaired at senior level within the local authority funded by DCEDIY.<sup>247 248</sup>

In a recent ESRI report on access to autonomous housing for beneficiaries of international protection, several stakeholders highlighted the significant opportunities presented by the forums in conjunction with the LAITs for improved coordination between government actors and non-governmental organisations (NGOs), and consequently improved integration outcomes.<sup>249</sup> The combined allocation of funds for the Community Integration Fora and the LAITs for 2025 has been put at €21.552 million.<sup>250</sup>

243 Houses of the Oireachtas (2024). ‘Local authorities’, Dáil Éireann debate, 30 January, [www.oireachtas.ie](http://www.oireachtas.ie).

244 Government of Ireland (2024). *Integration and community supports*, Department of the Taoiseach, [www.gov.ie](http://www.gov.ie).

245 Local Government Management Agency (n.d.), *Local authority integration teams*.

246 Houses of the Oireachtas (2024). ‘International protection’, Dáil Éireann debate, 23 July; Correspondence with the Local Government Management Agency, October 2025.

247 Government of Ireland (2024). *Integration and community supports*, Department of the Taoiseach.

248 Murphy, K. and A. Stapleton (2024). *Access to autonomous housing for beneficiaries of international protection in Ireland*, Research Series No. 184, Dublin: ESRI, p. 53.

249 Murphy, K. and A. Stapleton (2024). *Access to autonomous housing for beneficiaries of international protection in Ireland*, Research Series No. 184, Dublin: ESRI, p. 40.

250 Houses of the Oireachtas (2024). ‘International protection’, Dáil Éireann debate, 22 October, [www.oireachtas.ie](http://www.oireachtas.ie).

### 8.2.1.3 Community Connection Project

In July 2024, the Community Connection Project was announced by the Department of Rural and Community Development. The project aims to engage and work with local communities who receive IPAs to build resilience against misinformation and prejudice. In light of increasing numbers of new arrivals, the initiative seeks to improve integration by engaging and collaborating with communities involved with the local-level responses to incoming migration.<sup>251</sup> Thirty community link workers will be employed for the project by local development companies and will liaise with LAITs as well as the Community Engagement Team in DCEDIY. A small, centralised oversight and coordination team employed by the Irish Local Development Network (now the Local Development Company Network) will support the project and produce a piece of research that considers effective strategies for resilience against division and misinformation.<sup>252</sup>

The allocations of workers will be decided according to the number of IPAs in a given area.<sup>253</sup> Accordingly, Minister Joe O'Brien noted that the project is intended to improve integration efforts, particularly in communities that may have experienced divisive immigration-related debates in recent years.<sup>254</sup> The Community Connection Project was expected to run over an 18-month period until the end of 2025, and has received funding of €3 million. The focus on working directly with local communities to establish facts and engage with concerns was welcomed by the CEOs of several regional development companies, who acknowledged the importance of increased funding.<sup>255</sup>

### 8.2.1.4 Community Recognition Fund

In 2024, a further €50 million was provided to deliver projects over 2024 and 2025 through the Community Recognition Fund. The fund was first introduced in 2023, and the €50 million allocation in that year was used for 900 projects across the country. The fund is intended to specifically support communities who have welcomed IPAs and beneficiaries of temporary protection from Ukraine and other countries in recent years, and funding is allocated based on the number of new arrivals located in each local authority.<sup>256</sup> The fund aims to support the development and enhancement of facilities and projects that serve all members of these communities, and funding

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- 251 Meagher, A. (2024). 'Community connection project to support asylum seekers and the areas hosting them', *Changing Ireland*.
  - 252 DRCDG (2024). 'Minister Joe O'Brien opens Welcoming New Communities event and announces new community connection project', *press release*, 15 July.
  - 253 DRCDG (2024). 'Minister Joe O'Brien opens Welcoming New Communities event and announces new community connection project', *press release*, 15 July.
  - 254 Meagher, A. (2024). 'Community connection project to support asylum seekers and the areas hosting them', *Changing Ireland*.
  - 255 Meagher, A. (2024). 'Community connection project to support asylum seekers and the areas hosting them', *Changing Ireland*.
  - 256 DRCDG (2024). 'Our rural future: Minister Humphreys and Minister Joe O'Brien launch 2024 Community Recognition Fund', *press release*, 15 March.

proposals must be formulated by local authorities through a ‘bottom-up’, direct engagement approach.<sup>257</sup> In accordance with this approach, the 2024 fund opened three application windows over the course of 2024 and 2025, to allow for projects to reflect the changes in migration patterns over the time period.<sup>258</sup> Approved projects in 2024 included the renovation and construction of community centres, local sports facilities, public gardens and transport services.<sup>259</sup>

### 8.2.2 National Action Plan Against Racism implementation

The National Action Plan Against Racism (NAPAR) was published in 2023, and outlines a state-led five-year plan for countering racial discrimination in Ireland. It was developed by the independent Anti-Racism Committee through consultation with stakeholders, civil society, the business sector and government departments, alongside a collection of public submissions.<sup>260</sup> The plan utilises a broad definition of racism intended to encompass all forms of racial discrimination in Ireland and identifies five main objectives encompassing the areas of safety, inequality, representation, research and education.

In July 2024, Dr Ebon Joseph was appointed Special Rapporteur on Racial Equality and Racism for a period of four years to monitor the progress of the NAPAR. As Special Rapporteur, she is tasked with monitoring progress towards the goals set out in the NAPAR, with special authority to request relevant information from public bodies.<sup>261</sup> The Advisory Committee on Racial Equality and Racism chaired by the Special Rapporteur was established in 2024 to assist with the monitoring and implementation of the NAPAR. Committee members were selected from across Irish society due to their experience and expertise in racial equality, and will work alongside the Special Rapporteur to ensure continued progression of the plan’s objectives.<sup>262</sup>

In 2024, DCEDIY published the first edition of a twice-yearly implementation report, as stipulated in the NAPAR. The report tracked the progression of the NAPAR’s five overarching objectives and noted in particular the appointment of the Special Rapporteur and advisory committee as key steps towards achieving NAPAR goals. Additionally, the report cited the establishment of Coimisiún na Meán, a media

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257 DRCDG (2025). ‘Community Recognition Fund’, 5 June.

258 DRCDG (2025). ‘Community Recognition Fund’, 5 June.

259 DRCDG (2025). ‘Community Recognition Fund – Funding allocations’, 30 June.

260 DCEDIY (2023). *National Action Plan Against Racism*, Dublin: Government of Ireland, p. 6.

261 DCEDIY (2024). ‘Minister Joe O’Brien announces the appointment of the Special Rapporteur for the National Action Plan Against Racism’, press release, 2 July.

262 DCEDIY (2024). ‘Minister Joe O’Brien announces the appointment of the Special Rapporteur for the National Action Plan Against Racism’, press release, 2 July.

regulator that has succeeded the Broadcasting Authority of Ireland, as a significant development for countering the prevalence of online hate speech.<sup>263</sup>

A total of €1.1 million in funding for 28 projects was also allocated through the Ireland Against Racism Fund 2024, in line with NAPAR commitments.<sup>264</sup>

### 8.2.3 Hate crime legislation

The *Criminal Justice (Hate Offences) Act 2024* was signed into law in October 2024, and came into effect on 31 December 2024. The Act provides for increased prison sentences for certain crimes, where it is proven to be motivated by hatred, or where hatred is demonstrated. Existing crimes, for example coercion, assault or criminal damage, are to be considered hate crimes in cases where the demonstration of hatred towards a protected group can be proven; if such intent is not proven, a person will still face the initial charge. The legislation aims to protect those who are targeted due to certain identity characteristics – namely race, colour, nationality, religion, national or ethnic origin, descent, disability, gender, sex characteristics and sexual orientation. Ireland has previously received criticism from international human rights bodies for its lack of hate crime legislation. The European Commission sent a letter of formal notice in October 2024 to the Irish Government, stating the Commission’s view that Ireland had not adequately transposed a 2008 Framework Decision on combating racism and xenophobia.<sup>265</sup> The Department of Justice has since formally responded to the Commission and is engaging with respect to the outstanding provisions.<sup>266</sup>

A previous version of the Act sought to target incitement to hatred or violence as well as hate offences.<sup>267</sup> Some provisions regarding hate speech received significant criticism, and in October 2024 these elements were removed to allow the Bill to progress.<sup>268</sup> Incitement to hatred and hate speech remain criminalised under a separate 1989 Act.<sup>269</sup> (See the 2023 version of this report for a summary of previous debates and provisions.) The Coalition Against Hate Crime, a group of 23 civil society

263 DCEDIY (2024). *National Action Plan Against Racism – First implementation report for 2023/2024*, Dublin: Government of Ireland, p. 5.

264 DCEDIY (2024). ‘Minister Joe O’Brien announces 28 projects to be funded under the Ireland Against Racism Fund 2024’, press release, 17 October.

265 Houses of the Oireachtas (2025). ‘Anti-racism measures’, Dáil Éireann debate, 30 April, [www.oireachtas.ie](http://www.oireachtas.ie).

266 Houses of the Oireachtas (2025). ‘Anti-racism measures’, Dáil Éireann debate, 30 April, [www.oireachtas.ie](http://www.oireachtas.ie).

267 For more details, see Potter, D., K. Murphy, A. Sheridan and Y. de Barra (2025). *Annual report on migration and asylum 2023: Ireland*, Dublin: ESRI.

268 See Dáil Éireann (2024). ‘Criminal Justice (Incitement to Violence or Hatred and Hate Offences) Bill 2022: From the Seanad’, 23 October.

269 Department of Justice, Home Affairs and Migration (2024). ‘New hate crime legislation comes into force’, press release, 31 December.



organisations, expressed support for the hate crime sections of the Act but said that they were disappointed by the removal of the hate speech elements.<sup>270</sup>

#### 8.2.4 Changes to employment permit eligibility

In May 2024, changes in permit eligibility for some residents from non-European Economic Area countries came into effect. Spouses and partners of many employment permit holders will now be registered on a Stamp 1G instead of a Stamp 3 permission. This enables spouses and partners to enter employment without a separate employment permit and undertake courses of study. This has potentially significant positive implications for the labour market integration of this group. See Section 3.2.2 for further details.

#### 8.2.5 Second phase of consultation for new integration strategy

In 2024, a second phase consultation for a new integration strategy was conducted by the DCEDIY. Consultation had initially begun in 2023, following the expiration of the last Migrant Integration Strategy in 2021. The second phase sought to engage directly with migrant communities underrepresented in the previous round of public consultation.<sup>271</sup> This strategy will now be part of the National Migration and Integration Strategy (see Section 2.2.3).<sup>272</sup>

#### 8.2.6 Integration funding

In April 2024, €500,000 in funding under the Communities Integration Fund 2024 was announced. Grants of up to €5,000 were awarded to 113 community-based projects aiming to support the integration of migrants and celebrate the cultural diversity of local communities.<sup>273</sup>

In the same month, the DCEDIY announced the 18 projects that were awarded funding under the National Integration Fund 2023, an initiative that aims to assist migrants in accessing equal opportunities; a total of €2.9 million was made available.<sup>274</sup>

April also saw the awarding of grants from the Asylum, Migration, and Integration Fund (AMIF), a multi-year project with a total of €63.53 million in funding, €53.11 million of which is provided by the EU. In 2024, 18 projects aiming to assist the

270 Coalition Against Hate Crime (2024). 'Statement on the Hate Crime and Incitement to Violence or Hatred Bill', Irish Council for Civil Liberties, 23 September.

271 Houses of the Oireachtas (2024). 'International protection', Dáil Éireann debate, 22 October, [www.oireachtas.ie](http://www.oireachtas.ie).

272 Correspondence with Department of Justice, Home Affairs and Migration, October 2025.

273 DCEDIY (2024). 'Minister O'Gorman announces 113 projects to be funded under the Communities Integration Fund 2024', press release, 18 July.

274 DCEDIY (2024). 'Minister Joe O'Brien announces 18 projects to be funded under the National Integration Fund 2023', press release, 17 April.

reception and integration of third-country nationals were awarded a total of €10 million.<sup>275</sup>

In May, a further €2.5 million was awarded to 56 not-for-profit civil society organisations under the International Protection Integration Fund, with grants of up to €100,000 allocated.<sup>276</sup>

In October, €1.1 million was awarded to 28 NGOs and community organisations through the Ireland Against Racism Fund 2024, with grants of up to €100,000 provided.<sup>277</sup> This fund was a commitment under the NAPAR.<sup>278</sup>

### 8.3 RESEARCH

#### 8.3.1 Access to autonomous housing for beneficiaries of international protection

Research by the ESRI/EMN Ireland examined the challenges, barriers and good practices for people trying to exit International Protection Accommodation Services (IPAS) accommodation into autonomous housing once they get refugee status. The report was based on desk research and stakeholder interviews, and drew on an EMN Inform (European comparative study) on the same topic. The research found this group faced significant barriers in trying to move into autonomous housing. It identified that the main barriers were mainstream and not specific to this group, such as severe shortages in the supply of housing (particularly social and affordable housing), inadequacies in supports and a lack of resources and coordination among public services. However, it also found that this group experience additional challenges and barriers: language barriers, a lack of knowledge about system procedures, landlord discrimination and psychological impediments stemming from experiences in origin countries and in Ireland's IPAS system were all highlighted.<sup>279</sup> In addition, the study found that many challenges faced by this group arose via existing Irish policy concerning this group, including isolated reception centres with no consideration of future prospects including housing, insufficient resources for transition services, policies that lead to transfers of people from the areas where they have integrated, and a lack of monitoring of housing outcomes after people leave IPAS accommodation. Other difficulties reported include a lack of knowledge or clarity within local authorities about the rights and entitlements of this group, as well as a

275 DCEDIY (2024). 'Minister Joe O'Brien announces European funding to support migrant inclusion projects nationally', press release, 23 April.

276 DCEDIY (2024) 'Minister Joe O'Brien announces 56 projects to be funded under the International Protection Integration Fund 2024', press release, 29 May.

277 DCEDIY (2024). 'Minister Joe O'Brien announces 28 projects to be funded under the Ireland Against Racism Fund 2024', press release, 17 October.

278 DCEDIY (2023). *National Action Plan Against Racism*, Dublin: Government of Ireland.

279 Murphy, K. and A. Stapleton (2024). *Access to autonomous housing for beneficiaries of international protection in Ireland*, Research Series No. 184, Dublin: ESRI, p. 61.

lack of planning for families arriving through the process of family reunification. Good practices highlighted by stakeholders included recent and forthcoming policy shifts that were seen as promising, such as Community Integration Forums and the LAITs (see Section 8.2.1).<sup>280</sup>

### 8.3.2 Trends and drivers of attitudes towards immigration

In 2024, the ESRI published a report examining recent trends and drivers of attitudes to immigration in Ireland. An analysis was conducted along three research questions covering the changes in immigration salience and attitudes, differences in attitudes depending on the category of migrant, and the main drivers of attitudes.<sup>281</sup> The report found education to be one of the strongest predictors of immigration attitudes, where those with lower qualifications are less positive about immigration, particularly in regard to asylum seekers. Similarly, a lack of confidence in the future and a sense that life was better in the past is strongly associated with more negative attitudes, again especially towards asylum seekers. The authors note that the relationship between attitudes and personal economic position appears more mixed. For example, while feeling less able to make ends meet is associated with more negative attitudes, factors like employment and housing status are less determinant of attitudes; people in rented accommodation or social housing are slightly more comfortable with migrants compared to homeowners. However, while personal economic impacts are not clearly linked, people's policy concerns were. The study found that respondents who listed the economic situation and cost-of-living crisis as the most important issues facing Ireland, or the world, tend to hold less positive attitudes to immigration, as do those who feel that access to housing and healthcare are the country's most pressing problems. In both instances, these respondents tended to be less comfortable with asylum seekers in comparison to other migrant groups. The report's findings indicate that because broader economic and social conditions are highly influential in shaping attitudes to immigration, they are therefore also important considerations for integration policy.

An ESRI working paper by the same authors expanded on this research by considering the effect of community-level characteristics on attitudes to immigration.<sup>282</sup> This research found no evidence that the share of immigrants in a neighbourhood had an association with attitudes in and of itself, or any evidence that greater increases in the number of migrants in an area led to more negative attitudes. However, they did find that attitudes to immigration are more negative in disadvantaged communities, with this relationship particularly the case in areas with larger changes in the share of

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280 Murphy, K. and A. Stapleton (2024). *Access to autonomous housing for beneficiaries of international protection in Ireland*, Research Series No. 184, Dublin: ESRI, p. 53.

281 Laurence, J., F. McGinnity and K. Murphy (2024). *Attitudes towards immigration and refugees in Ireland: Understanding recent trends and drivers*, Dublin: ESRI, p. 2.

282 Laurence, J., F. McGinnity and K. Murphy (2024) *Community-level drivers of attitudes towards immigration in Ireland*, ESRI Working Paper No. 793, Dublin: ESRI.

migrants between 2011 and 2022. Additionally, the research found that attitudes tended to be more negative in areas with higher levels of residential segregation. Some effects consistent with contact theory were found to be evident in rural areas: while rural communities tend to hold more negative attitudes than urban areas, an increase in the share of migrants in a rural area was found to have a positive effect on attitudes.

The research was published in the *Journal of Ethnic and Migration Studies* in 2025.

### 8.3.3 Barriers to access in employment and language services

Studies in 2024 by the NGO Nasc examined barriers experienced by migrants through research approaches designed to highlight and amplify migrant voices and experiences. In a study of the language barriers faced by migrants,<sup>283</sup> Nasc surveyed 15 individuals using their migrant support services. All individuals in the study experienced difficulties in availing of public services due to a lack of translated materials or interpretation support.

The study recommended improving the consistency and clarity of how interpretation supports are offered in Ireland, and establishing clear protocols for when these supports should be offered proactively. Additionally, the study recommended enhanced accessibility through the provision of real-time phone interpretation services for all public services, and suggested that cultural competency and language assistance training be made mandatory for all public service staff.

In a similar study, Nasc studied the barriers to employment faced by migrant women, through eight in-depth interviews in combination with a survey.<sup>284</sup> The study identified issues in qualification recognition, language proficiency and public transport provision as key barriers for migrant women in Ireland. Limited access in some areas to education and training programmes was also cited, as was the effect of childcare responsibilities and inability to afford alternatives. The report noted that, while often overlooked, the mental health difficulties experienced by some migrant women due to trauma associated with the migration process also amounts to a significant barrier to accessing employment.

### 8.3.4 Barriers to employment for migrant women

AkiDwA published a research report on barriers to migrant women's participation in the Irish labour market.<sup>285</sup> It was a follow up to research conducted by AkiDwA in 2020,

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283 Nasc (2024). *Language barriers: Access to interpretation for migrants*, Cork: Nasc, the Migrant and Refugee Rights Centre.

284 Nasc, the Migrant and Refugee Rights Centre (2024). *Breaking barriers: Challenges in employment access for migrant women*, Nasc, the Migrant and Refugee Rights Centre, [www.nascireland.org](http://www.nascireland.org).

285 AkiDwA (2024). *Employed, empowered: Barriers to migrant women's participation in the Irish labour market*, Dublin: AkiDwA.

and focused on the impact of discrimination and racism on migrant women in relation to employment. It was based on surveys, focus groups and individual interviews, and engaged 428 participants. Overarching barriers identified included non-recognition of foreign qualification, preference for Irish work experience over foreign work experience, cultural and racial discrimination in the workplace, an employer knowledge gap regarding the visa system, difficulty in navigating the immigration system, and difficulty accessing affordable childcare. It also presented detailed information on barriers for different groups. These included:

- International protection applicants – Waiting time; duration and appearance of the Labour Market Access Permission; rural/inaccessible locations of many IPAS centres; reliance on exploitative volunteering practices to gain Irish work experience; inability to access higher education for three years post-arrival.
- Work permit holders and their spouses – Work permits only given for full-time employment; being tied to partner’s permit.
- Students – Unable to secure long-term job within two years post-graduation because of employer hesitation to sponsor; being seen as a continuous source of cheaper and disposable labour; PhD researchers being seen as students rather than staff, and resultant lack of worker’s rights.

Policy recommendations were made on foot of the findings, including changing the appearance of the Labour Market Access Permission, separating post-graduate research pathways from the third-level student pathway, expanding access to Community Employment schemes to those in the asylum process, setting up childcare services in IPAS centres, training for employers and more blind recruiting practices.

### **8.3.5 Integration outcomes for beneficiaries of temporary protection**

A study by the EMN Ireland and the ESRI examined the recent arrival of beneficiaries of temporary protection from Ukraine to Ireland, and considered the outcomes for this group in the areas of integration and inclusion among others. This research is summarised in Section 5.3.1.

## CHAPTER 9

### Trafficking in human beings

#### 9.1 STATISTICS

In 2024, 67 people were identified as victims of human trafficking in Ireland. Six were EU and European Economic Area (EEA) nationals, and 61 were third-country nationals (non-EU/EEA). No Irish nationals were identified. Ten of the total number of victims were children, and 57 were adults. The majority were female (50), with 17 males identified. Of the 50 females, 42 were adults, while 8 were minors. Of the 17 males, 15 were adults and 2 were minors. In terms of exploitation, 48 victims (72%) were trafficked for sexual exploitation, 15 (22%) for labour exploitation and 4 (6%) for forced criminality, with no mixed-form cases recorded in 2024.

According to the Department of Justice, Home Affairs and Migration, there were 14 prosecutions in relation to human trafficking initiated in 2024.<sup>286</sup>

#### 9.2 DEVELOPMENTS

##### 9.2.1 Criminal Law (Sexual Offences and Human Trafficking) Act 2024

As reported since 2021, the legislation to place the revised National Referral Mechanism (NRM) for victims of human trafficking on a statutory footing has been progressing in recent years. In 2024, the *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* entered into force; this strengthens the law around sexual offences and improves protections for victims of sexual offences.<sup>287</sup> This legislation also puts the new NRM for human trafficking victims on a statutory footing, although this section (Part 3) had not yet commenced at time of publication.

The purpose of the revised NRM is to make it easier for victims to come forward, be identified and receive the appropriate supports.<sup>288</sup> Government departments and agencies such as the Department of Justice, the Department of Social Protection, Tusla – the Child and Family Agency, the HSE and the Workplace Relations Commission (WRC), in addition to An Garda Síochána, will be designated as competent authorities for formally identifying victims of trafficking. In addition, nongovernmental

<sup>286</sup> Correspondence with the Department of Justice, Home Affairs and Migration, November 2025.

<sup>287</sup> *Criminal Law (Sexual Offences and Human Trafficking) Act 2024*, No. 28 of 2024, [www.irishstatuebook.ie](http://www.irishstatuebook.ie).

<sup>288</sup> Department of Justice (2024). 'Minister McEntee commences legislation on sexual offences and improving protections for victims', press release, 2 September.

organisations that have been designated as trusted partners will be able to refer victims for formal identification.<sup>289</sup>

### 9.2.2 Third evaluation of the implementation of the EU Anti-Trafficking Directive

The Irish Human Rights and Equality Commission (IHREC) was designated as Ireland's independent National Rapporteur on the Trafficking of Human Beings in 2020. As part of this role, IHREC produces annual evaluation reports on the implementation of the EU Anti-Trafficking Directive in Ireland. The 2024 evaluation report focuses on the period January–December 2023 and was published in September 2024.<sup>290</sup> The Commission reported that some progress had been made, including: publication of the Third National Action Plan to Prevent and Combat Human Trafficking; increased training and education by state agencies; and the opening of the first gender-specific pilot shelter for victims of trafficking. Despite these, the Commission also flagged areas of concern, including in relation to a lack of legal support, immigration permits as part of assistance, equity in treatment of victims, specialised identification procedures for victims, and statutory measures for protection against prosecution.

The report included several key recommendations, including:

- Victims' rights and their experiences should be at the centre of all efforts to combat trafficking;
- All victims should receive specialised assistance regardless of their origin, nationality, statelessness, immigration status or pending international protection claim;
- Assistance and supports should not be conditional on cooperation with criminal investigations and proceedings;
- All victims should be exempt from the Habitual Residence Condition in order to access supports;
- The non-punishment principle should be adhered to by inclusion of a specific statutory defence for victims of trafficking where they have committed crimes as a direct result of being trafficked;
- Trafficking and gender-specific pathways of care should be developed that are victim-centred, ensuring that specialist civil society organisations with expertise in trafficking are fully supported and formalised within the NRM;

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289 For further details and discussion, see: Potter, D., K. Murphy, A. Sheridan and Y. de Barra (2025). *Annual report on migration and asylum 2023: Ireland*, Dublin: ESRI; Murphy, K. and A. Sheridan (2023). *Annual report on migration and asylum 2022: Ireland*, Dublin: ESRI.

290 Irish Human Rights and Equality Commission (2024). Third annual national evaluation report of the implementation of the EU Anti-Trafficking Directive.

- There should be increased labour inspection capacity to allow the Workplace Relations Commission to fulfil its functions; and
- Mandatory trafficking-specific training should be systemically rolled out to all competent authorities and trusted partners.

### 9.2.3 EMPACT

EMPACT (European Multidisciplinary Platform Against Criminal Threats) is a security initiative driven by EU Member States to identify and address threats posed by organised and serious international crime. Trafficking in human beings is a priority crime area within EMPACT.<sup>291</sup>

The 2024 EMPACT Labour Exploitation campaign consisted of seven Joint Days of Action in April 2024, and involved WRC inspectors, the Department of Social Protection, the Revenue Commissioners, the Garda National Protective Services Unit and the Garda National Immigration Bureau. In total, 225 inspections were carried out during the campaign and 130 employers were found to have employment law breaches.<sup>292</sup>

In October 2024, as part of the EMPACT 2024 Joint Action Days against Labour Exploitation in the Agriculture Sector, WRC inspectors carried out inspections throughout Ireland on employers operating within the fishing and agricultural sectors, including forestry, fruit and vegetable farms, and livestock farms. In total, 64 unannounced inspections were undertaken and 27 employers were found to have employment law breaches. During this period, the WRC also conducted a concerted and joint inspection in conjunction with the Belgian Labour Authority in relation to flagged Belgian fishing vessels.

The WRC also participated in the EMPACT Global Chain week of Action on Labour Exploitation in June 2024, which focused on identification of possible victims of human trafficking, disruption of possible supply chains in trafficking for the purposes of sexual exploitation, forced begging and labour exploitation. In total, 16 unannounced inspections were carried out; 4 employers were found to be in breach, or possible breach of employment rights legislation, and 3 employers were found to be in breach of the *Employment Permits Act 2003*.

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291 European Commission (2025). 'EMPACT fighting crime together', [www.home-affairs.ec.europa.eu](https://www.home-affairs.ec.europa.eu).

292 WRC (2025). *Annual report 2024*, [www.workplacerelations.ie](https://www.workplacerelations.ie), p. 24.



### 9.2.4 Trafficking in Persons report

The *Trafficking in persons report 2025*, which covers developments from April 2024 to March 2025, was published by the US State Department in October 2025.<sup>293</sup> This report outlines efforts of countries to combat human trafficking, and categorises these efforts into four tiers, based on their efforts to meet the US *Trafficking Victim Protection Act*'s minimum standards for the elimination of human trafficking. In the 2025 report, Ireland remained at Tier 2, having been upgraded from the Tier 2 watchlist in the 2022 report.<sup>294</sup> Tier 2 indicates that a country does not fully meet the minimum standards but is making a significant effort to do so.

The report acknowledges the State's increased efforts, including more investigations, convictions and funding for victim assistance and awareness raising. However, it highlights persistent failings to 'fully meet the minimum standards', including no convictions for labour trafficking, serious gaps in victim referral, assistance and identification, including regarding children and Irish nationals, and the continued failure to implement the new NRM. It also notes inadequate accommodation for trafficking victims, that there has never been restitution or compensation awarded, and a lack of trafficking specific training for judges.

### 9.2.5 Other developments

During 2024, Ireland strengthened its legislative, institutional and operational response to human trafficking, according to the Department of Justice, Home Affairs and Migration. The *Online Safety Code and Digital Services Act* frameworks were operationalised under Coimisún na Meán, in collaboration with An Garda Síochána, enhancing the State's capacity to detect and remove online content linked to trafficking and sexual exploitation.<sup>295</sup>

The Human Trafficking Investigation and Co-ordination Unit and the Organised Prostitution Investigation Unit continued to conduct joint operations with the WRC and the Garda National Immigration Bureau.<sup>296</sup>

In relation to victim protection, the dedicated accommodation centre for female victims of trafficking within the International Protection Accommodation Service (IPAS), established in 2023, operated throughout 2024 and is currently being evaluated as a potential model for broader use.<sup>297</sup>

293 US Department of State (2025). *Trafficking in persons report: Ireland*, Washington DC:US Department of State.

294 For more details, see Murphy, K. and A. Sheridan (2022). *Annual report on migration and asylum 2021: Ireland*, Dublin: ESRI.

295 Correspondence with Department of Justice, Home Affairs, and Migration, October 2025.

296 Correspondence with Department of Justice, Home Affairs, and Migration, October 2025.

297 Correspondence with Department of Justice, Home Affairs, and Migration, October 2025.

Ireland also participated in Eurojust, Europol and OSCE cooperation mechanisms, sharing operational intelligence and contributing to EU-level negotiations on the *Asset Recovery and Confiscation Directive*, the *Corporate Sustainability Due Diligence Directive*, and the e-Evidence Regulation, each expected to strengthen future prevention, prosecution and victim compensation frameworks, according to the Department of Justice, Home Affairs and Migration.<sup>298</sup>

As reported above in Section 3.2.5, in July 2024, sea fishers in the Irish fishing fleet were made eligible for the General Employment Permit, with a minimum annual remuneration of €34,000 and a quota of 150 permits.<sup>299</sup> The regulation and protection of sea fishers has been a debate and criticism over the last ten years. In 2022, it was decided to transition these workers to the standard General Employment Permit instead of the Atypical Working Scheme, based on the recommendation of a cross-departmental working group. (See the 2022 report in this series for more information.)

## 9.3 RESEARCH

### 9.3.1 Systems of identification for victims of human trafficking

Amy Erbe Healy conducted a mixed-methods research study into how victims of human trafficking are identified and supported across the island of Ireland. In a resultant 2024 paper,<sup>300</sup> Healy presented the qualitative findings of this study, based on interviews with service providers for victims of human trafficking. One finding was that many victims of human trafficking are not counted as victims within official statistics, and therefore do not have access to existing supports. The paper examines systems of victim identification on the island, in particular the National Referral Mechanism that grants victim status and the resultant services. Across the island, a failure is identified on the part of policing authorities to recognise probable victims and follow up with appropriate procedures and questioning. Additionally, victims may not be willing to self-identify or engage with police or related services due to fear and/or an unwillingness to relive traumatic experiences in efforts to convince authorities of their victimhood. The author finds that the requirement in the Republic of Ireland that victims cooperate with An Garda Síochána in the prosecution of their trafficker compounds these hesitations. The core recommendation of the paper is to expand NRMs so that service providers engaged with victims of trafficking can participate in victim identification mechanisms. The result, Healy argues, would be a

298 Correspondence with Department of Justice, Home Affairs, and Migration, October 2025.

299 DETE (2024). 'Minister Higgins announces 150 employment permits for sea fishers', 3 July, last accessed 19 February 2025.

300 Healy, A.E. (2024). 'Identifying victims of human trafficking across the island of Ireland: Who counts? Who's counting? Who wants to be counted?', *Criminology & Criminal Justice*, <https://doi.org/10.1177/17488958241252955>.

more inclusive and victim-centred approach that would increase the uptake of existing services.

Note that reforms to this area have been introduced. See Section 10.1.1 and previous reports in this series.

## CHAPTER 10

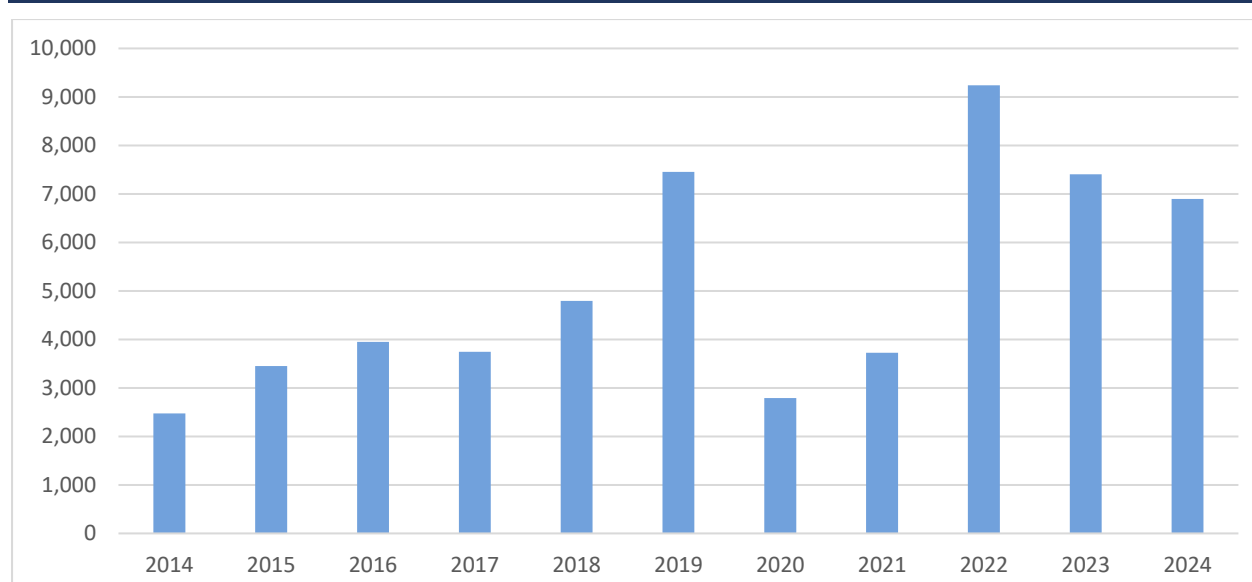
### Irregular migration, visas, borders and return

#### 10.1 STATISTICS

##### 10.1.1 Refusals of leave to land

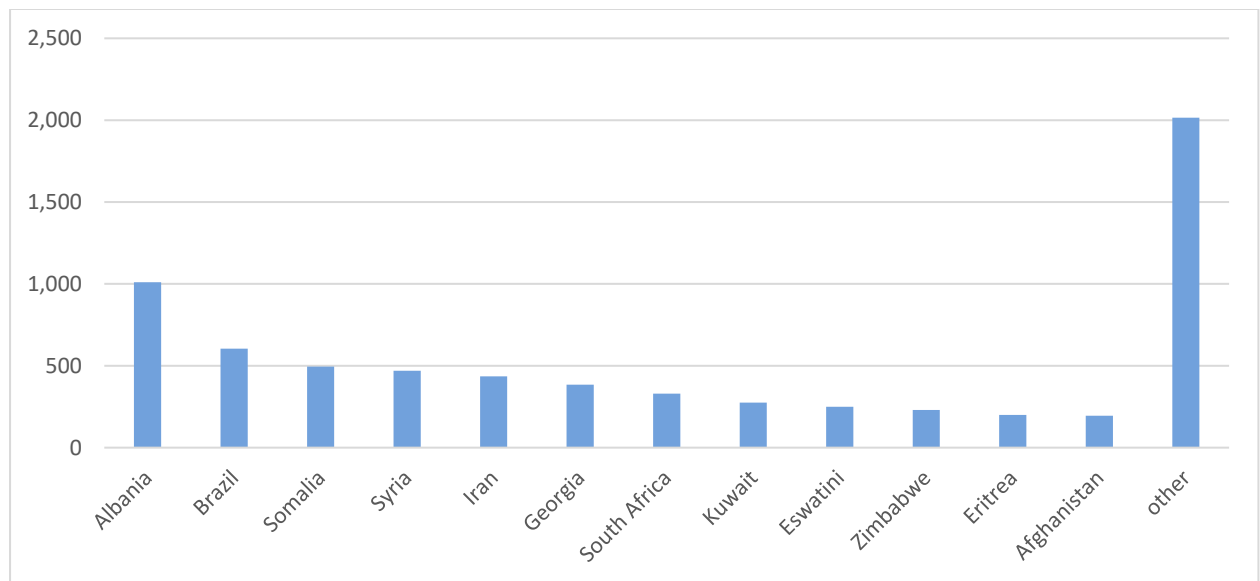
Figure 10.1 shows the number of third-country nationals refused entry at an external border in Ireland. This figure has dropped since a high point of over 9,000 refusals in 2022, and is now below the 2019 figure. The 6,895 refusals in 2024 represent a 7% decrease from 2023, and a 25% decrease from 2022.

**FIGURE 10.1 THIRD-COUNTRY NATIONALS REFUSED ENTRY AT THE IRISH BORDER, 2014–2024**



Source: Eurostat (2025) 'Third country nationals refused entry at the external borders – Annual data (rounded)', extracted 31 July 2025.

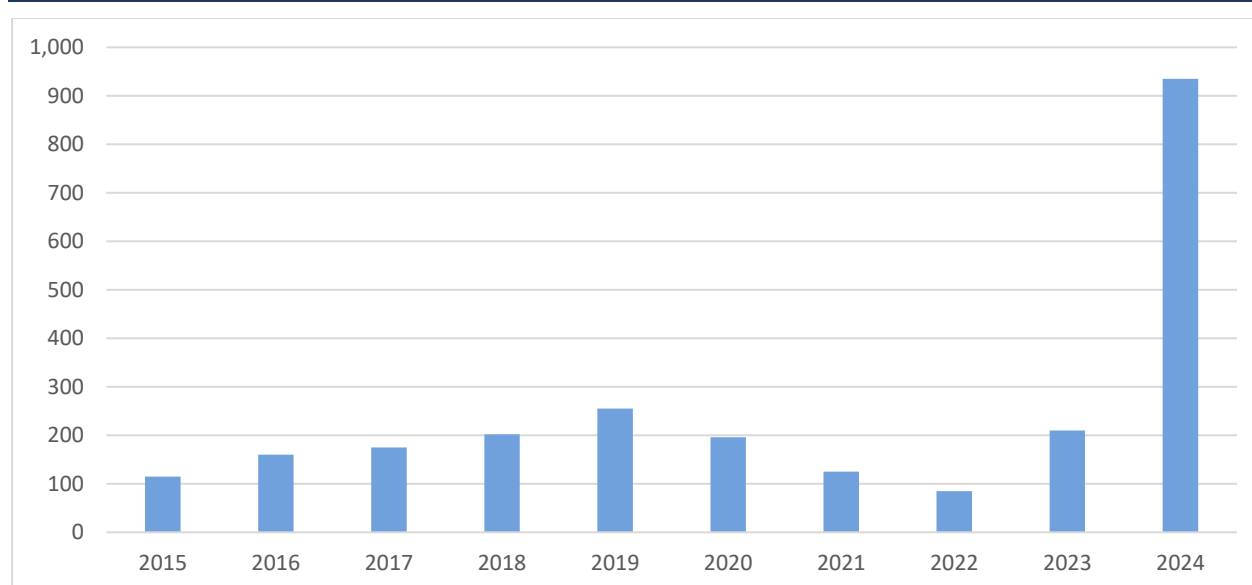
Figure 10.2 identifies the most common nationalities of third-country nationals refused entry at the Irish border in 2024. All of the most common nationalities were also among the most commonly refused nationalities in 2023, aside from Eswatini and Kuwait. Refusals to individuals with Albanian nationality has more than doubled, from 435 in 2023 to 1,010 in 2024, and Albanians are currently the most common nationality to be refused entry. The number of South Africans refused entry at the border nearly halved, from 605 in 2023 to 330 in 2024.

**FIGURE 10.2 COUNTRIES OF CITIZENSHIP OF THIRD-COUNTRY NATIONALS REFUSED ENTRY AT THE BORDER, 2024**

Source: Eurostat (2025). 'Third country nationals refused entry at the external borders – Annual data (rounded)', extracted 31 July 2025.

### 10.1.2 Return

Voluntary return is an option for people with no legal status in Ireland and for those who have withdrawn their application for international protection, or have had it refused. Figure 10.3 shows the figure for those who have left by voluntary return. A significant increase of 345% occurred in the number of voluntary returns between 2023 and 2024. The figure in 2024, 935, is far greater than that for any other year in the last decade.

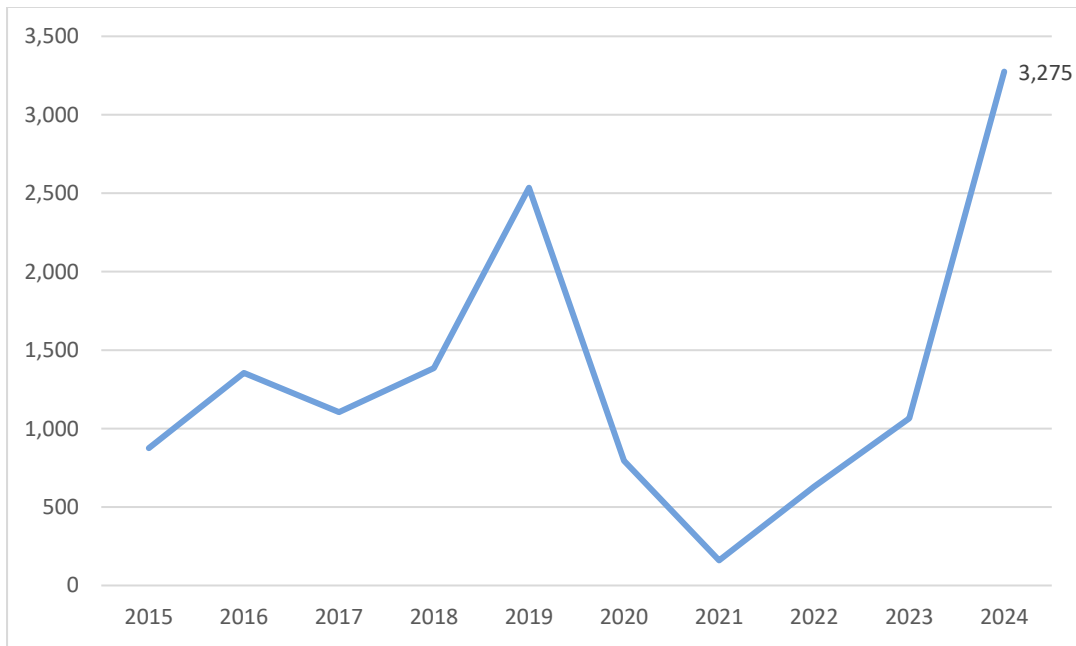
**FIGURE 10.3 THIRD-COUNTRY NATIONALS WHO HAVE LEFT IRELAND BY VOLUNTARY RETURN, 2015–2024**

Source: Eurostat (2025). 'Third-country nationals who have left the territory by type of return and citizenship', extracted 31 July 2025.

The International Organization for Migration (IOM) Ireland implements an Assisted Voluntary Return and Reintegration Programme funded by the State, which offers return assistance to people without legal status in Ireland. The programme includes reintegration assistance upon return to country of origin to returnees assisted by IOM or voluntarily returned by the Department of Justice. According to IOM, 315 persons returned through this programme, and 178 individual reintegration grants and 35 family reintegration grants were administered in 2024.<sup>301</sup>

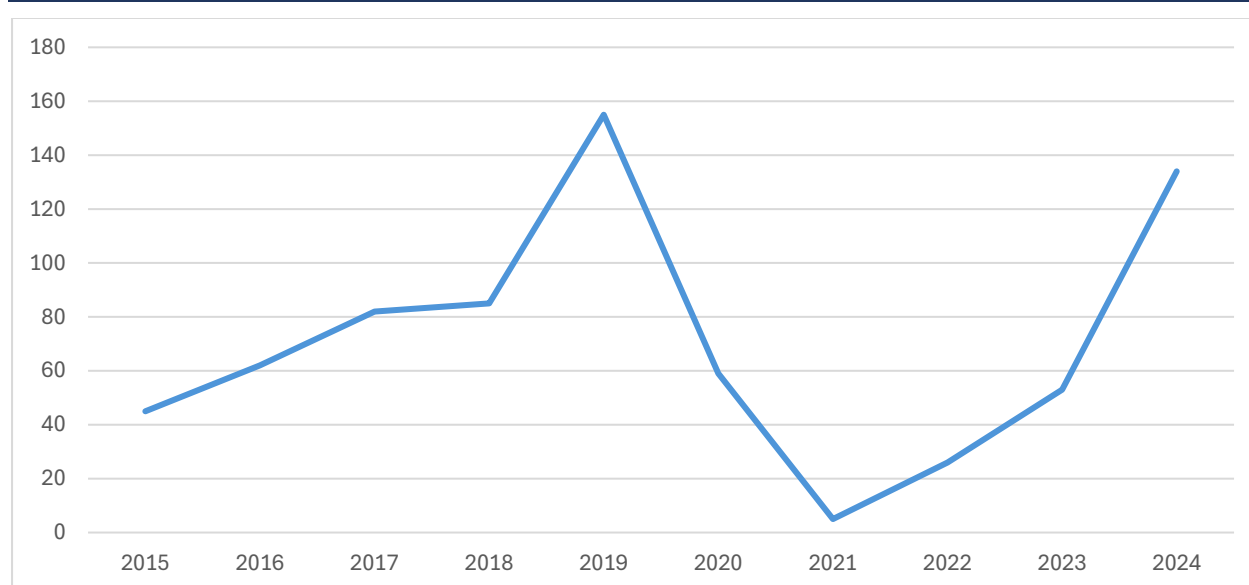
Figure 10.4 shows a similarly significant increase in the number of third-country nationals ordered to leave in 2024. The figure of 3,275 is the highest in a decade, and marks an increase of 207.5% from 2023. This statistic refers to a combination of deportation orders signed, the international protection deportation process and voluntary returns. The most common country of origin among those ordered to leave was Georgia, followed by Brazil and Jordan. Georgia was also the most common country of origin ordered to leave in 2023.

<sup>301</sup> Correspondence with IOM Ireland, October 2025.

**FIGURE 10.4 THIRD-COUNTRY NATIONALS ORDERED TO LEAVE, 2015–2024**

Source: Eurostat (2025). 'Third country nationals ordered to leave – Annual data (rounded)', extracted 31 July 2025.

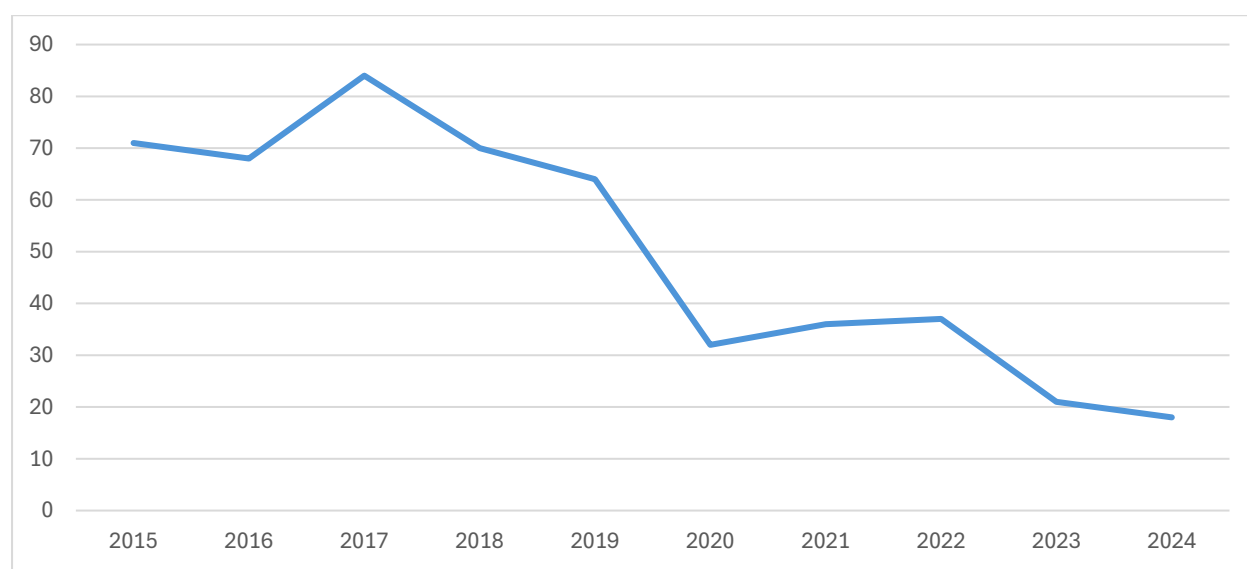
Figure 10.5 shows the number of deportations enforced against third-country nationals. It shows a continued increase since 2021. There were 134 removals enforced in 2024, a 153% increase from 2023, but still a 14% decrease since prior to the COVID-19 pandemic (i.e. 2019).

**FIGURE 10.5 DEPORTATIONS ENFORCED AGAINST THIRD-COUNTRY NATIONALS, 2015–2024**

Source: Department of Justice (2022). 'Response to parliamentary question 4389/22', 1 February; Figures for 2022–2024: Correspondence with Department of Justice, October 2023, November 2024, and October 2025.

### 10.1.3 EU removals

Figure 10.6 shows the number of removals effected against EU nationals. It shows a 14% decrease from 2023, with 18 EU removals effected in 2023.

**FIGURE 10.6 EU REMOVALS EFFECTED, 2015–2024**

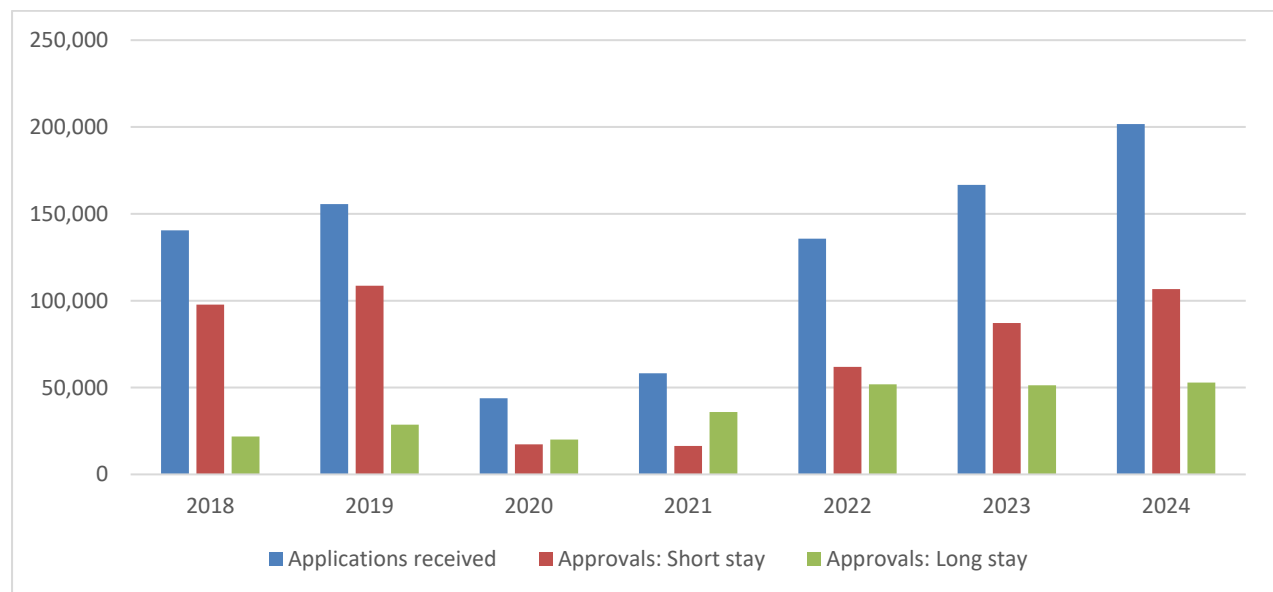
Source: Department of Justice (2022). 'Response to parliamentary question 4389/22', 1 February; Figures for 2022–2024: Correspondence with Department of Justice, October 2023 and October 2025.



### 10.1.4 Visas

Figure 10.7 shows visa applications and approvals between 2018 and 2024. It shows an increase in visa applications between 2023 and 2024 (by 21%, to 201,693 applications). Short-stay visa approvals also increased in 2023, but they remain lower than in 2019 (i.e. before the COVID-19 pandemic). Long-stay visa approvals increased slightly in 2024, and remain higher than prior to the pandemic.

**FIGURE 10.7 VISA APPLICATIONS AND APPROVALS, 2018–2024**



Source: Correspondence with the Department of Justice, October 2023, November 2024, and October 2025.

## 10.2 DEVELOPMENTS

### 10.2.1 Increased carrier sanctions

Penalties for carriers who fail to ensure passengers have appropriate travel documentation were increased in 2024.<sup>302</sup> The fines upon summary conviction were amended through a separate Act to a maximum of €5,000 from the previous maximum of €3,000.<sup>303</sup> Carriers that make a payment of €2,500 within 28 days will avoid prosecution for an offence under the Act. This was an increase from the previous payment of €1,500.<sup>304</sup> These fines came into operation from 12 August 2024.<sup>305</sup> This followed a review initiated by the Minister for Justice in 2024 on Ireland's carrier

302 *Immigration Act 2003 (Carrier Liability) Regulations 2024* amended the forms to update the fine amounts for carriers alleged to be in breach of section 2 of the Immigration Act 2003.

303 *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024*.

304 Department of Justice (2024). 'Minister McEntee increases penalties for carriers who fail to ensure passengers have appropriate travel Documentation', press release, 12 August.

305 *The Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024 (Commencement of Part 4 and section 14(d))* Order 2024 commenced Part 4 of the Act to increase the fines from 12 August 2024. *Courts, Civil Law, Criminal Law and Superannuation (Miscellaneous Provisions) Act 2024 (Part 4 and Section 14(d)) (Commencement)* Order 2024, S.I. no. 397 of 2024.

liability standards, as the level of fines had remained unchanged since 2003. This review recommended an increase in penalties for carriers who do not take sufficient action to ensure passengers travelling to Ireland have appropriate travel documentation upon embarkment.<sup>306</sup> The Minister indicated that the increases would bring Ireland in line with other EU countries.

### 10.2.2 North–South border policing strategy and cooperation

In 2024, An Garda Síochána and the Police Service of Northern Ireland launched the Cross Border Policing Strategy 2025–2027.<sup>307</sup> The strategy builds on previous strategies, and aims to continue collaboration and coordination between the two bodies. The areas of focus of the strategy are: tracking crime and preventing harm (which includes organised immigration crime); roads policing; community policing; and major emergency management. It should be noted that the border control and immigration function sits under the Home Office and Border Force in the UK, and is therefore not devolved to the Police Service of Northern Ireland (PSNI). However, the PSNI will assist in immigration crime where there is another criminal aspect.<sup>308</sup>

In 2024, several joint operations were also conducted with the Police Service of Northern Ireland (PSNI) to support on immigration matters with the aim of protecting the Common Travel Area between Ireland and Northern Ireland. These operations included Operations Comby, Gull and Sonnet, which aim to prevent and tackle irregular migration, people smuggling and human trafficking into Ireland and the UK.<sup>309</sup>

### 10.2.3 Amendment to the process for designating a safe third country

In 2024, the *International Protection Act 2015* was amended so that the risk of serious harm would be reviewed when considering a transfer to a safe third country (section 72A). It also allows for family and private life rights to be considered in the context of issuing a return order.

This followed a court decision in March 2024, in which the High Court found that the statutory scheme used to designate a safe third country under section 72A of the *International Protection Act 2015* was legally flawed as it failed to require the Minister to be satisfied that a person would not be subjected to serious harm when returned to that country. The amendment rectified this situation.

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306 Department of Justice (2024). ‘Minister McEntee increases penalties for carriers who fail to ensure passengers have appropriate travel Documentation’, press release, 12 August.

307 An Garda Síochána (2024). ‘Cross Border Policing Strategy 2025–2027’, press release, 9 December.

308 Correspondence with An Garda Síochána, February 2025.

309 An Garda Síochána (2024). ‘Cross Border Policing Strategy 2025–2027’, press release, 9 December.

See Section 4.2.9 for more information and Section 4.4.6 for a summary of the related High Court case.

#### 10.2.4 Changes to visa requirements

In 2024, several changes were made to the lists of countries that require a visa to travel to Ireland. From March, nationals of Dominica, Honduras and Vanuatu were required to obtain a visa before travelling to Ireland or transiting through Ireland.<sup>310</sup> According to the Minister for Justice, the goal of the changes was to bring Ireland into closer alignment with the visa regime in the UK and the Schengen Area.

At the same time, the requirement for a visa was lifted for diplomatic passport holders of Indonesia, Qatar, Kuwait, Montenegro, Moldova, Türkiye, Colombia, Peru and Georgia.<sup>311</sup> The requirement for a visa has also been lifted for holders of an official passport, service passport or public affairs passport when accompanying a government minister from one of the countries concerned on an official visit to the State. Reciprocal arrangements apply for Irish diplomats travelling to these countries.<sup>312</sup>

From July, nationals of South Africa and Botswana were required to obtain a visa before travelling to Ireland.<sup>313</sup> In recent years, a significant number of international protection applications have been received from nationals of South Africa. South Africa is designated as a safe country of origin for international protection purposes and was one of only two countries on that list that were not visa required. Botswana is also a designated safe country.<sup>314</sup>

#### 10.2.5 Procurement of charter flights for return

In June 2024, the Department of Justice launched a procurement process for charter flights to enable the deportation and removal of individuals without permission to remain in Ireland.<sup>315</sup> An online tender was published to locate a suitable provider of charter flights and supporting services.<sup>316</sup> A contract was awarded to a selected service

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310 See *Immigration Act 2004 (Visas) (Amendment) Order 2024* S.I. No. 58 of 2024; Department of Justice (2024). 'Minister McEntee announces new visa requirements', 4 March, last accessed 18 December 2024.

311 See *Immigration Act 2004 (Visas) (Amendment) Order 2024* S.I. No. 58 of 2024.

312 Department of Justice (2024). 'Minister McEntee announces new visa requirements', 4 March, last accessed 18 December 2024.

313 *Immigration Act 2004 (Visas) (Amendment) (No. 2) Order 2024*, S.I. No. 335 of 2024, <https://www.irishstatutebook.ie/eli/2024/si/335/made/en/print>.

314 Department of Justice (2024). 'Response to parliamentary question 32921/24', 23 July, <https://www.oireachtas.ie/en/debates/question/2024-07-23/1582/?highlight%5B0%5D=botswana&highlight%5B1%5D=visa>.

315 Department of Justice (2024). 'Minister McEntee welcomes tender launch for Charter Flight Services to return individuals without permission to remain in Ireland', press release, 17 June.

316 Department of Justice (2024). 'Minister McEntee welcomes tender launch for Charter Flight Services to return individuals without permission to remain in Ireland', press release, 17 June.

provider in November 2024.<sup>317</sup> The Minister for Justice indicated that this was necessary to increase the capacity to remove people who do not have permission to remain in the State after a significant increase in international protection applications.<sup>318</sup>

#### 10.2.6 Extension of temporary protection certificates and changed passport requirements

In January 2024, immigration permissions for all beneficiaries of temporary protection were extended to 4 March 2025. Non-nationals living in Ireland with a Temporary Protection Certificate (yellow paper) were not required to apply for a new Temporary Protection Certificate. It was possible to use expired certificates as proof of entitlement to temporary protection and related state services until 4 March 2025.<sup>319</sup> This followed the decision by the European Council in September 2023 to extend the Temporary Protection Directive until March 2025.<sup>320</sup>

From June 2024, temporary measures that exempted Ukrainian nationals from the requirement to have a valid biometric passport to travel to Ireland ceased to be in effect. The need for a valid biometric passport was temporarily suspended to support a swift response to the emerging crisis in Ukraine and ensure that many people who could not access or renew their travel documents could still flee to safety. It remained possible to travel to Ireland on a biometric passport that has been extended by the Ukrainian authorities, as long as such an extension does not bring the validity of the passport beyond a maximum of ten years from the issue date.<sup>321</sup>

#### 10.2.7 Other developments

The Department of Justice launched a request for information seeking to understand the nature, capacity and capability of the market to provide reintegration services in the context of assisted voluntary return and reintegration. This request for information is a preliminary market-sounding exercise open to receive proposals until January 2025.<sup>322</sup>

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317 Department of Justice (2024). 'CfT: Single supplier contract for the provision of charter flights and associated support services for the purpose of return operations', last accessed 19 February 2025.

318 Department of Justice (2024). 'Minister McEntee welcomes tender launch for Charter Flight Services to return individuals without permission to remain in Ireland', press release, 17 June.

319 Department of Justice (2024). 'Travel confirmation notice: For beneficiaries of temporary protection, benefitting from the extension of the Temporary Protection Directive Up To 4th March 2025', 5 January, <https://www.irishimmigration.ie/travel-confirmation-notice/>, last accessed 18 December 2024.

320 Department of Justice (2024). 'Response to parliamentary question 9713/24', 23 April, <https://www.oireachtas.ie/en/debates/question/2024-04-23/452/?highlight%5B0%5D=extended&highlight%5B1%5D=until&highlight%5B2%5D=march&highlight%5B3%5D=2025>.

321 Immigration Service Delivery (2024). 'Important information for Ukrainian nationals', 4 June, <https://www.irishimmigration.ie/important-information-for-ukrainian-nationals/>, last accessed 18 December 2024.

322 Department of Justice, 'PMC: Request for information (RFI) for the provision of reintegration services for the purpose of voluntary return', last accessed 19 February 2025.

## 10.3 RESEARCH

### 10.3.1 Non-EU nationals in irregular employment in Ireland

The ESRI and EMN Ireland published a report examining the irregular employment of non-EU nationals in Ireland through an analysis of relevant policy, law and data.<sup>323</sup> The study draws from research conducted by EMN Ireland for an EMN-wide study on the illegal employment of third-country nationals, with additional desk research and interviews and consultation with key stakeholders. In providing an overview of the existing relevant policy and law, the authors noted the emergence of regularisation schemes for undocumented migrants as a key government strategy. Data showed that a majority of irregularly-staying non-EU nationals are in employment, with half of respondents working in hospitality/tourism, food and drink, or cleaning and maintenance. The study identified the presumption of employment under section 61 of the *Employment Permits Act*, which means that if a person is observed to be engaging in activity consistent with being employed, they will be treated as such, as an existing good practice. The low number of inspectors working for the Work Relations Commission WRC to ensure compliance with the Employment Permits Act was highlighted by multiple stakeholders as a barrier to effective prevention efforts. Challenges were also identified with the sanctioning of offending employers due to name changes and false documentation, as were difficulties with enforcing sanctions and issuing dissuasive convictions.

### 10.3.2 Brazilian migration to Ireland and the effects of the Stamp 2 study visa

Across two articles published in 2024, by Igor José de Renó Machado, examined Brazilian migration to Ireland and the dynamics generated by Ireland's visa system. A significant proportion of Brazilians residing in Ireland do so under a 'Stamp 2 visa' – a study visa that grants permission to study a full-time course (in universities or language schools) without access to benefits or publicly funded services, and allows for 20 hours a week of casual employment. The first article employed an analysis of Irish migration policy and Irish media reportage alongside an ethnographic study conducted among Brazilian migrants.<sup>324</sup> The author argued that the existing Stamp 1 and Stamp 4 work visas do not permit the entry of an adequate number of migrants for the demands of a vast Irish labour market that is partially reliant on immigrant labour. The author therefore argued that the Stamp 2 visa, though a study visa in name, in fact functions as a 'precarious work visa' for Brazilian immigrants, who often earn below-market wages and whose time spent in Ireland does not count towards future naturalisation efforts. The study visa policy, it is argued, functions to produce an effect (a population of low-wage workers) that, though supposedly unintended, is

323 Stapleton, A., E. Cuniffe and E. Quinn (2024). *Non-EU nationals in irregular employment in Ireland*, Research Series Number 189, Dublin: ESRI, <https://doi.org/10.26504/rs189>, accessed 24 July.

324 Machado, I.J.d.R. (2024). 'How deviant policies produce precarious immigrant workers: The case of Brazilians in Ireland', *International Migration*, Vol. 62, pp. 111-123, <https://doi.org/10.1111/imig.13323>, accessed 24 July 2025.

actually desired; this is what de Renó Machado terms a ‘deviant policy’. The ethnographic study illustrated the precarity and exploitation experienced by Brazilian students working under the Stamp 2 visa. In a subsequent article drawing from the same research, de Renó Machado highlighted the racial ordering produced by the Irish visa system for Brazilian migrants, noting that a ‘racial inversion’ had occurred, by which black and brown migrants with work visas were being favoured by the Irish labour market over migrants with study visas, who tend to be white and more highly educated.<sup>325</sup>

### 10.3.3 Country brief on irregular migration

Alan Desmond and Ruth Heylin published a country brief for Ireland on irregular migration, as part of the MIRREM (Measuring Irregular Migration) project.<sup>326</sup> The overall project aims to measure irregular migration in Europe, and analyses policies and data needs and usage. The country brief for Ireland outlined Ireland’s policy priorities, gave an overview of the Irish policy framework in relation to irregular migration, and provided an analysis of the pathways into and out of irregularity in Ireland.

## 10.4 CASE LAW

### 10.4.1 Deportation: *E.M. v. The Minister for Justice and Equality* [2024] IESC

#### 3

**Facts:** E.M., a Pakistani national, applied for asylum in Ireland in 2011. His application was refused, and a deportation order was issued in 2012. That same year, the appellant married an EU national residing in Ireland and was granted residence permission on that basis.

In 2017, his application to renew the residence permission was refused, as the Minister considered the marriage to be one of convenience. The appellant was subsequently notified of the Minister’s intention to deport him and was invited to make representations under the various headings of section 3(6) of the *Immigration Act 1999*. In his submissions, the applicant referred to his employment prospects and contended that his business would fail if deported, resulting in a loss of revenue to the State.

In considering these representations, the Minister acknowledged the applicant’s employment prospects but noted that he did not have permission to reside or work in

325 Machado, I.J.d.R. (2024). ‘The unsaid in ethnographies about Brazilians in Ireland: Euphemisms and displacements of race’ [Portuguese: O não dito nas etnografias sobre brasileiros na Irlanda: eufemismos e deslocamentos de raça]. *Revista de Antropologia*, Vol. 67, published 19 June, <https://doi.org/10.11606/1678-9857.ra.215020>, accessed 24 July 2025.

326 Desmond, A. and R. Heylin (2024). *Ireland country brief on irregular migration policy context*, MIRreM report, Krems: University for Continuing Education Krems (Danube University Krems).

the State, and that there was no obligation to grant such permission to facilitate his employment or self-employment. The Minister then informed the applicant of the intention to proceed with deportation.

The applicant sought judicial review in the High Court. O'Regan J held that the Minister erred in referring to the applicant's lack of permission when considering his employment prospects. However, this error was deemed minor within the broader context of the reasons for deportation, including the finding of a marriage of convenience. O'Regan J upheld the Minister's decision and also found that the applicant was not entitled to relief due to his misconduct and lack of candour in abusing the asylum and immigration system. The applicant appealed to the Supreme Court.

**Reasoning:** In the Supreme Court, Dunne J held that the appellant's lack of permission to reside and work in the State should not have been treated as negating his employment prospects; these were distinct considerations. Nevertheless, this error was found to be inconsequential to the overall decision to deport, as the appellant's conduct and involvement in a marriage of convenience were of greater significance. Accordingly, the Minister's decision was not quashed.

Regarding the High Court's refusal to grant relief, Dunne J reiterated that such discretion should be exercised 'sparingly and in a cautious manner'. While recognising the potential humanitarian concerns in deportation cases and possible explanations for an applicant's misconduct, the Court concluded that it was not appropriate, in this case, to refuse relief on discretionary grounds.

**Decision:** The incorrect consideration of the applicant's lack of residence permission alongside his employment prospects did not invalidate the deportation decision. The appeal was dismissed.

#### **10.4.2 Deportation and best interests of child consideration: *A.Z. & ors v. the Minister for Justice and Equality* [2024] IESC 35**

**Facts:** A.Z. was an Albanian national who arrived to Ireland irregularly in 1995 and worked without a work permit for a number of years using an alias. In 2005, he met M.Z., an Irish citizen, in 2007 and they had a son, C.Z. A.Z. is the primary caregiver for C.Z., who has a number of additional needs relating to his hearing loss and his autism diagnosis. The family have lived together continuously, with the exception of a three-year period when A.Z. was imprisoned following a conviction for shooting a colleague. A.Z. and M.Z. married not long after the shooting incident. While charges were pending in the case, A.Z. applied for and was granted permission to remain on the basis of his parentage of an Irish child.

Following his release from prison, and the lapsing of his residence permission, A.Z. was issued with a deportation order. He appealed this. Following various decisions and interactions with the applicant, in 2021, the Minister refused to revoke the deportation order. It was held that the deportation would not result in a breach of rights under Articles 40, 41 and 42 of the Constitution, Article 8 of the European Convention on Human Rights, or Article 7 of the Charter, for the family, including, the child, C.Z.

The applicants sought judicial review in the High Court. The trial judge quashed the Minister's decision refusing to revoke the deportation order. It was held that the child's individual rights should have been identified and weighed as separate from the rights of the family and this flowed from Article 42A of the Constitution. It was held that there is an onus on every decision maker to afford primary weight to the best interests of the child when conducting a proportionality assessment.

The Minister challenged this ruling on appeal in the Supreme Court.

**Reasoning:** In the Supreme Court, Woulfe J accepted that the applicants had not explicitly referenced Article 42A in their submissions; however, the issue of the child's rights and best interests were clearly a live issue in the case. It was held that the Minister should therefore have considered them in the decision. Woulfe J recalled the general applicability of Article 42A.1, with the effect that the Minister must take into account a child's welfare considerations, and any special circumstances arising, in making a deportation decision that may seriously affect a child.

The Minister had contended that the trial judge incorrectly applied Article 42A.4. This Article requires the State to make provisions for legislation in specific cases where the rights of the child are paramount. The Minister argued that this was not applicable to the instant case. Woulfe J held that the trial judge was correct to refer to Article 42A.4. Although it does not apply to issues outside of the specific scope of the provision, its value structure should indirectly inform the interpretation of Article 42A.1.

With regard to the best interests of the child, Woulfe J held that the best interests of the child should be a 'primary' consideration as opposed to a 'paramount' consideration in the context of deportation orders. The former framing recognises that there are a number of important considerations that the Minister must weigh in arriving at a decision on deportation.

In a separate opinion, Collins J agreed with Justice Woulfe's consideration of the case, including that in situations where deportation potentially affects a child, their best interests must be regarded as a primary consideration. Collins J also agreed that Article 42A was necessary to the case, despite not having been raised by the applicants;



however, he refuted the suggestion that Article 42A imposes an autonomous duty on the Court to have regard to its provisions, independent of the parties' submissions. Collins J agreed that there is no principal rule that a child's best interests should dictate the outcome of a deportation order. In this case, there was evidence that the applicants are a close knit family and A.Z. plays an important role in his son's life. It was held that the impact of deportation on the family and particularly on the child, C.Z., was not adequately given meaningful engagement by the Minister.

**Decision:** The Supreme Court upheld the decision of the High Court and the appeal was dismissed.

#### **10.4.3 Good character and conduct for regularisation: *Rana & Ali v. Minister for Justice* [2024] IESC 46**

**Facts:** Ms Rana and Mr Ali were in Ireland on student permissions. Upon their expiration, they each entered into what were later held to be marriages of convenience with EU citizens. They both held residence permissions in the State as spouses of EU citizens. Their permissions were both respectively revoked. Ms. Rana's was revoked for entering into a marriage of convenience, and Mr. Ali's was revoked for submitting misleading documentation.

They subsequently applied for permission to remain under the Special Scheme for Non-EEA Nationals who had held a student permission between 2005 and 2010. Their applications were refused on the basis that they had held a permission after the expiry of their student permissions, the previous revocation of residence permissions, and their entries into marriages of convenience. They were considered to not meet the requirement of being of good character and conduct in the State. In both cases, a review was requested and the original decisions were upheld. In the meantime, the applicants had been granted permission to remain under the 2022 Long-Term Undocumented Migrants Scheme.

The applicants brought judicial review proceedings to the High Court, where the Minister's decision was upheld. An appeal was brought to the Court of Appeal where, in a majority decision, Faherty J and Haughton J found that the decision maker should have provided unambiguous evidence that the review decision maker had engaged 'in a real way' with the arguments and materials advanced in the review applications, together with evidence of conducting the requisite weighing exercise. The Minister's decisions were quashed and remitted for consideration. The Minister of Justice appealed this ruling to the Supreme Court.

**Reasoning:** In the Supreme Court, O'Malley J first distinguished the Special Scheme for Students from the 2022 Long-Term Undocumented Migrants Scheme. The concept of 'good character and conduct' was intended to be applied more strictly in the former.

It was therefore held that there was no inconsistency in the decision to grant the applicants permission to remain under the 2022 scheme and not the Special Scheme.

O'Malley J then went on to consider the good character and conduct requirement under the Special Scheme and recalled that criminal convictions were an absolute bar. Bad conduct short of that would not necessarily be a bar. However, it must be seen as having been at a very high level of gravity.

O'Malley J held that the Minister in each case found the conduct to be sufficiently serious to justify a decision to revoke their previous permissions, and that these decisions were not challenged at the time. It was held that it was not necessary for the decision makers under the Special Scheme to reassess the question of gravity and to see where, on the spectrum of marriages of convenience, these cases fell. Thus, the decision-making process was appropriate.

As to whether the decisions comply with the duty to give reasons and engage with the evidence, with reference to *G.K. v. Minister for Justice* [2002] 2 I.R. 418, O'Malley J held that it was sufficient to accept the statement that a decision maker had considered all the material before them, unless there are evidence-based reasons for thinking otherwise.

**Decision:** The appeal was allowed.

#### **10.4.4 Refusal of leave to land on public policy grounds: *Wen Wei & Ting Ting v. Minister for Justice & anor* [2024] IESC 58**

**Facts:** The appellants were Malaysian nationals who sought permission to land and enter the State at Cork Airport in December 2020 in order to start an English language course in January 2021. They were refused permission to land because the course was to be conducted online and not in person. This decision was made at the time of the COVID-19 pandemic and the related restrictions on movement. Their entry was refused under section 4(3)(j), *Immigration Act 2004*, which provides that a non-national can be refused entry on grounds that the non-national's entry into, or presence in, the State could pose a threat to national security or be contrary to public policy. The appellants initiated judicial review proceedings contesting their refusal of leave to land under section 4(3)(j) and the ambit of public policy under that provision.

The applicants relied on the judgment in *Ezenwaka* ([2011] IEHC 328), in which the public policy ground in section 4(3)(j) had a narrower meaning akin to national security, and furthermore required something personal to the individual concerned, rather than the application of considerations of general policy. The applicants contended that the use of 'or' between national security and public policy was conjunctive.

The High Court and the Court of Appeal refused the reliefs sought. An appeal was brought to the Supreme Court.

**Reasoning:** In his judgment, Woulfe J recalled that the starting point in the construction of a statutory provision is the language used in the provision under consideration, and the plain and ordinary meaning of that language. He held that the plain and ordinary meaning of the words in section 4(3)(j) is that an immigration officer may refuse to give permission on two alternative bases, either national security grounds or public policy. National security means the security or safety of a country, and includes various related matters concerning the military and intelligence gathering. Public policy, on the other hand, is a much wider concept and more difficult to define. It was held to generally relate to certain policy that is directed towards the achievement of the public good or public interest, including a public policy position taken by the Executive. On the word 'or' in section 4(3)(j), Woulfe J held that it was disjunctive and that the two terms are distinct from one another and different in nature or meaning. In coming to this decision, Woulfe J considered the High Court's findings in *Ezenwaka* and in *Li and Wang* [2015] IEHC 638; the former construed the term public policy narrowly, while the latter regarded it as conferring a wide discretion on the Minister. Woulfe J agreed with the ruling in *Li and Wang*.

O'Donnell CJ published a concurring judgment, whereas Hogan J published a dissenting judgment. Hogan J held that the words 'public policy' have no precise and fixed meaning and, should they be taken to bear an open-ended construction, it would mean that applicants for permission to land could be refused entry for ill-defined and vague reasons. Public policy, according to Hogan J, should be understood narrowly. For Hogan J, the words 'public policy' accordingly take their meaning from the companion words and the word 'or' should be understood as conjunctive.

**Decision:** A majority of the court ruled to dismiss the appeal.

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## ANNEX A

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### Migration and asylum governance structures and policy

This section sets out the institutional and legal structure governing migration in Ireland as of 31 December 2024. Some major developments from 2025 are flagged, but these will be included in detail in the 2025 version of this report.

Three government departments are primarily involved in migration management in Ireland (see Figure 1.1, page 4). A fourth government department, the Department of Foreign Affairs, plays a limited role in migration management, with some responsibilities for issuance of visas overseas. Other government departments may have limited input into specific aspects of migration management.

Figures 1.1 and 1.2 (pages 4 and 5) set out the departmental and institutional arrangements respectively, as of 31 December 2024. This section provides further detail on their roles and responsibilities.

#### A.1 STRUCTURE OF THE IMMIGRATION SYSTEM

##### A.1.1 Department of Justice

The Department of Justice is responsible for immigration management. The Minister for Justice has ultimate decision-making powers in relation to immigration and asylum.

Note that many migration-related responsibilities that had been under the Department of Children, Equality, Disability, Integration and Youth (DCEDIY, see A1.4 below) since 2020 were transferred back to the Department of Justice following an election and new government formation in 2025. The Department was also then renamed the Department of Justice, Home Affairs and Migration. A detailed update on the transfer of functions will be provided in the 2025 report in this series. The below information relates to the situation on 31 December 2024.

##### Immigration Service Delivery

The Immigration Service Delivery (ISD) function of the Department of Justice (formerly the Irish Naturalisation and Immigration Service) is responsible for administering the statutory and administrative functions of the Minister for Justice in relation to international protection, immigration (including visas), repatriation and citizenship matters.

Since 31 December 2016, ISD has been responsible for investigating applications by beneficiaries of international protection to allow family members to enter and reside in the State and for providing a report to the Minister on such applications, under sections 56 and 57 of the *International Protection Act 2015*. ISD also administers the Atypical Working Scheme, which provides permissions for working situations that fall outside of the employment permits system.

Since 2015, the Border Management Unit of ISD of the Department of Justice has taken over frontline border control functions at Dublin Airport. Established in May 2018, the Irish Passenger Information Unit is a unit of the Department of Justice that collects and processes:

- passenger name record data for the purposes of the prevention, detection, investigation and prosecution of terrorism and serious crime; and
- advance passenger information, which processes data from inbound flights from outside the EU for immigration purposes.

The Garda National Immigration Bureau, a unit of An Garda Síochána (and therefore under the authority of the Department of Justice), is responsible for all immigration-related Garda operations in the State. The Garda National Immigration Bureau carries out policing functions of immigration such as deportations, detentions at borders and investigations of immigration issues. It also provides border management functions at all ports of entry other than Dublin Airport. An Garda Síochána has personnel specifically dealing with immigration in every Garda district, at all approved ports and airports, and at a border control unit attached to Dundalk Garda Station. Responsibility for immigration registration of non-EEA nationals fully transferred to the Registration Office of ISD by early 2025.

### **International protection**

The International Protection Office (IPO) is an administrative unit within the ISD function of the Department of Justice that is responsible for processing applications for international protection under the *International Protection Act 2015*. It also considers, as part of a single procedure, whether applicants should be given permission to remain. International protection officers are independent in the performance of their international protection functions. International protection officers make recommendations in relation to international protection applications, but it is the function of the Minister for Justice to make the decision. The Minister for Justice also makes decisions in relation to permission to remain. These decisions are made through the Ministerial Decisions Unit.

The IPO also administers the Dublin III Regulation in the State, which is given further effect in Ireland via the *European Union (Dublin System) Regulations 2018*.<sup>327</sup>

The statutorily independent International Protection Appeals Tribunal (IPAT) is responsible for hearing appeals.

Note that a reform of these functions is foreseen in 2025–2026 as part of the implementation of the European Pact on Migration and Asylum. The Irish Government plans to implement this through a single piece of legislation, the General Scheme of which was published in 2025.

### Trafficking

The Department of Justice also has responsibility for anti-human trafficking policy and legislation. Since October 2020, the Irish Human Rights and Equality Commission (IHREC) is the designated National Rapporteur on trafficking of human beings.<sup>328</sup> There are three dedicated units in the State dealing with this issue: the Human Trafficking Investigation and Co-ordination Unit in the Garda National Protective Services Bureau, the Anti-Human Trafficking Team in the HSE and a specialised human trafficking legal team in the Legal Aid Board. In Ireland, it is the responsibility of An Garda Síochána to identify a victim of human trafficking and refer them to the National Referral Mechanism (NRM). A new Bill containing a revised NRM was published in July 2023, and the legislation – the *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* – was signed into law in 2024. However, as of 31 December 2024, the section of the Act relating to the revised NRM had not yet been operationalised.

Once designated as a victim of trafficking within the NRM, the Human Trafficking Investigation and Coordination Unit has the responsibility to refer the victim to a variety of services.<sup>329</sup> Dedicated personnel are assigned to deal with prosecution of cases in the Office of the Director of Public Prosecutions. In addition, the Anti-Human Trafficking Team in the HSE liaises with a dedicated team in the Department of Social Protection. Some of the services provided by the Department of Social Protection include material assistance (Supplementary Welfare Allowance, Rent Supplement), translation and interpretation when needed, and, when appropriate, access to the labour market, vocational training and education.

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327 European Union (Dublin System) Regulations 2018, S.I. No. 62 of 2018.

328 European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020, S.I. No. 432 of 2020.

329 Breen, M., A.E. Healy and M. Healy (2021). *Report on human trafficking and exploitation on the island of Ireland*, Limerick: Mary Immaculate College.

### A.1.2 International Protection Appeals Tribunal

The IPAT is a statutorily independent quasi-judicial body that exercises the performance of its functions under the *International Protection Act 2015*.<sup>330</sup> It is regarded as a court or tribunal of first instance, tasked with performing the judicial scrutiny function provided for in Article 39 of Directive 2005/85.<sup>331</sup> Established in December 2016 in accordance with section 61 of the *International Protection Act 2015*, the IPAT hears and determines appeals in relation to recommendations made by international protection officers in the IPO on applications for protection status in the State, and in relation to appeals of transfer decisions made by the IPO under the Dublin III Regulation. Since 30 June 2018, the IPAT also hears appeals in relation to the *European Communities (Reception Conditions) Regulations 2018*. Note that a reform of this function is foreseen in 2025–2026 as part of the implementation of the European Pact on Migration and Asylum. The Irish Government plans to implement this through a single piece of legislation, the General Scheme of which was published in 2025.

### A.1.3 Legal Aid Board

The Refugee Documentation Centre is an independent library and research service within the Legal Aid Board that provides a specialist query and research service in support of the work of the Legal Aid Board and the Department of Justice.<sup>332,333</sup> The specialised Services for Asylum Seekers Office within the Legal Aid Board provides ‘confidential and independent legal services to persons applying for asylum in Ireland. Legal aid and advice are also provided in ‘appropriate cases’ on immigration and deportation matters.<sup>334</sup> Additionally, the Legal Aid Board provides legal services on certain matters to persons identified by the Human Trafficking Investigation and Co-ordination Unit of An Garda Síochána as ‘potential victims’ of human trafficking under the *Criminal Law (Human Trafficking) Act 2008*.

### A.1.4 Department of Children, Equality, Disability, Integration and Youth

Following the transfer of functions in October 2020, the DCEDIY has responsibility for the provision of accommodation and other supports to applicants for international protection, and for integration and resettlement.<sup>335</sup> The DCEDIY also has policy responsibility for children, including unaccompanied minors arriving in the State who are in the care of Tusla, the Child and Family Agency.

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330 Section 61(3)(b) of the International Protection Act 2015.

331 See most recently *X v. International Protection Appeals Tribunal & ors* (Case C-756/21, 29 June 2023).

332 For further information on the Refugee Documentation Centre, see [www.legalaidboard.ie/lab/publishing.nsf/Content/RDC](http://www.legalaidboard.ie/lab/publishing.nsf/Content/RDC).

333 For further information on the Legal Aid Board, see [www.legalaidboard.ie](http://www.legalaidboard.ie).

334 For further information on the Legal Aid Board, see [www.legalaidboard.ie](http://www.legalaidboard.ie).

335 Disability, Equality, Human Rights, Integration and Reception (Transfer of Departmental Administration and Ministerial Functions) Order 2020, S.I. No. 436 of 2020.

In August 2019, the Reception and Integration Agency, which was responsible for arranging accommodation and working with statutory and non-statutory agencies to co-ordinate the delivery of other services for applicants for international protection, was divided into the International Protection Accommodation Services (IPAS) and the International Protection Procurement Services. The latter is responsible for procurement, contract management, inspection and payments for accommodation provided to international protection applicants. IPAS is responsible for all other aspects of reception of international protection applicants, including all ancillary services. Since 30 June 2018, the statutory basis for this work is the *European Communities (Reception Conditions) Regulations 2018*,<sup>336</sup> which transpose the *EU Reception Conditions Directive 2013/33/EU* into Irish law. IPAS also provides accommodation to suspected victims of trafficking pending a determination of their case and during the 60-day recovery and reflection period.

The DCEDIY has responsibility for leading and co-ordinating integration and equality policy across government departments, agencies and services.

Following the transition of functions in October 2020, responsibility for the Irish Refugee Protection Programme, approved by Government in 2015, was transferred to the DCEDIY.

In addition, Tusla, the Child and Family Agency, is responsible for the administration of care for unaccompanied third-country minors in the State and, since November 2020, sits under the DCEDIY. Tusla is responsible for improving the wellbeing and outcomes of children, providing child protection, early intervention, family support services and putting in place suitable arrangements for those arriving to the State under relevant Irish Refugee Protection Programme programmes and other immigration schemes.

Note that following an election and new government formation in 2025, many of the migration-related responsibilities in the DCEDIY were transferred back to the Department of Justice, which was renamed the Department of Justice, Home Affairs and Migration. A detailed update on the transfer of functions will be provided in the 2025 report in this series.

### **A.1.5 Department of Enterprise, Trade and Employment**

The Department of Enterprise, Trade and Employment (DETE) administers the States' employment permit schemes. DETE's Employment Permits Section implements a skills-oriented employment permits system to fill labour and skills gaps that cannot be filled through European Economic Area (EEA) supply. The Employment Permits Section

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336 European Union (Dublin System) Regulations 2018, S.I. No. 62 of 2018.

processes applications for employment permits; issues guidelines, information, and procedures; and produces online statistics on applications and permits issued.

The Economic Migration Policy Unit within DETE works to support the operation of an employment permits system that maximises the benefits of economic migration and minimises the risk of disrupting Ireland's labour market. The employment of non-EEA nationals in the State is governed by the *Employment Permits Act 2024*.

Set up in the late 1990s, the Expert Group on Future Skills Needs is an independent body that advises Government on future skills needs of enterprises and associated labour market issues. It carries out research and analysis in relation to emerging skills requirements, engages with relevant bodies to produce action plans to address identified skills needs, and disseminates findings. DETE provides administrative support to this expert group.<sup>337</sup>

The Workplace Relations Commission (WRC) is an independent statutory body established under the *Workplace Relations Act 2015*, which regulates employment rights and undertakes inspections in relation to employment rights and adherence to employment permits legislation.

#### **A.1.6 Department of Further and Higher Education, Research, Innovation and Science**

On behalf of the Department of Further and Higher Education, Research, Innovation and Science and under the Irish University Association, EURAXESS Ireland manages the operation of hosting agreements under the *Third Country Researchers Directive (Council Directive 2005/71/EC)*. This Directive allows researchers to carry out research projects with a recognised research organisation in Ireland, using a permit that can last up to five years.<sup>338</sup>

#### **A.1.7 Department of Foreign Affairs**

The Department of Foreign Affairs has responsibility for the issuance of visas via Irish embassy consular services in cases where the Department of Justice does not have a dedicated visa office within the country concerned.<sup>339</sup> The Department has operative function only and is not responsible for visa policy or decisions, which are the remit of the Department of Justice.

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337 Expert Group on Future Skills Needs (2021). *The Expert Group on Future Skills Needs: Statement of activity 2020*, Dublin: National Skills Council.

338 See Department of Further and Higher Education, Research, Innovation and Science (2021). 'Third Country Researchers Directive', last updated 21 March.

339 See Quinn, E. (2009). *The organisation of asylum and migration policies in Ireland: 2009*, Dublin: ESRI.

Irish Aid is the Government's programme for overseas development assistance and is managed by the Development Cooperation Division of the Department of Foreign Affairs. In 2019, the Government launched *A Better World*, a new policy for international development.<sup>340</sup>

## A.2 STRUCTURE OF THE LEGAL SYSTEM

Immigration matters are dealt with on an administrative basis by the Minister for Justice. In accordance with the Constitution, justice is administered in public, in courts established by law, with judges appointed by the President on the advice of the Government. Independence is guaranteed in the exercise of their functions. The Irish court system is hierarchical in nature and there are five types of courts in Ireland, which hear different types and levels of cases. In ascending hierarchical order, these are:

- the District Court;
- the Circuit Court;
- the High Court;
- the Court of Appeal;
- the Supreme Court.

The Irish asylum process sits outside the national court system. The relevance of the courts in relation to asylum and immigration cases is generally limited to judicial review.<sup>341</sup> Judicial review is a way for the High Court to supervise the lower courts, tribunals and other administrative bodies to ensure that they make proper decisions in accordance with the law. Judicial review focuses on assessing the determination process through which a decision is reached to ensure that the decision maker makes their decision properly and in accordance with the law. It does not look to the merits or the substance of the underlying case.<sup>342</sup>

### A.2.1 EU acquis

Ireland is not automatically bound by measures under Title V of Part Three of the Treaty on the Functioning of the European Union (TFEU), under the terms of Protocol 21 of the Lisbon Treaty, unless it decides to participate in the measure following a motion in the Houses of the Oireachtas.<sup>343</sup> Under Declaration number 56 to the TFEU,

340 See Government of Ireland (2019). *A better world: Ireland's policy for international development*, [www.irishaid.ie](http://www.irishaid.ie).

341 There is a statutory appeal to the Circuit Court against decisions to revoke refugee status and subsidiary protection under section 52 of the *International Protection Act 2015*.

342 See Citizens Information (2022). 'Judicial review of public decisions', <https://www.citizensinformation.ie/en/government-in-ireland/how-government-works/standards-and-accountability/judicial-review-public-decisions/>.

343 Protocol (no 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice (Document 12016E/PRO/21).



Ireland has declared its intention to take part in the adoption of Title V proposals to the maximum extent it deems possible.<sup>344</sup>

Ireland participated in some of the first generation of instruments under the Common European Asylum System, such as the *Qualification Directive 2004/83/EC* and *Procedures Directive 2005/85/EC*.<sup>345</sup> While these directives were recast on the European level, Ireland did not opt into several of the recast ('second generation') instruments.<sup>346</sup> However, Ireland remains bound by the first-generation directives.

Many of these directives are being recast (often as regulations) as part of the European Pact on Migration and Asylum, and Ireland has opted into seven of the nine pieces of legislation under the Pact:

- Reception Conditions Directive 2024/1346
- Qualification Regulation 2024/1347
- Asylum Procedure Regulation 2024/1348
- Resettlement Regulation 2024/1350
- Asylum and Migration Management Regulation 2024/1351
- Eurodac Regulation 2024/1358
- Crisis and Force Majeure Regulation 2024/1359.<sup>347</sup>

The other two are Schengen-related (Screening Regulation and Return Border Procedure Regulation), and Ireland has indicated the intention to align legislation with these measures to the extent possible. However, as of 31 December 2024, the first-generation directives continue to apply. The Pact instruments will come into effect in June 2026, and Ireland has indicated that they will be transposed through a single piece of legislation, the General Scheme of which was published in 2025. See EMN's guide to Ireland's participation in EU asylum and migration legislation, available on the EMN website, for a full list of EU asylum and migration legislation, Ireland's participation, and their transposition.<sup>348</sup>

While Ireland did not participate in the original *Reception Conditions Directive 2003/9/EC*, it opted into the recast Reception Conditions Directive 2013/33/EU and

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344 Declaration by Ireland on Article 3 of the *Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice (TFEU)*. Ireland also 'affirms its commitment to the Union as an area of freedom, security and justice respecting fundamental rights and the different legal systems and traditions of the Member States within which citizens are provided with a high level of safety'.

345 Ireland does not participate in the 'recast' Qualification Directive 2011/95/EU or the Procedures Directive 2013/32/EU.

346 Ireland did not participate in the 'recast' Qualification Directive 2011/95/EU or the Procedures Directive 2013/32/EU. One exception is the Reception Conditions Directive: Ireland did not opt into the first Directive 2003/9/EC but did opt into the recast Reception Conditions Directive 2013/33/EU.

347 See [https://home-affairs.ec.europa.eu/news/ireland-will-participate-eu-pact-migration-and-asylum-2024-07-31\\_en](https://home-affairs.ec.europa.eu/news/ireland-will-participate-eu-pact-migration-and-asylum-2024-07-31_en).

348 EMN (2023). 'EU asylum and migration legislation: Ireland's participation', [www.emn.ie](http://www.emn.ie).

the *European Communities (Reception Conditions) Regulations 2018* came into operation on 30 June 2018.<sup>349</sup> Ireland has opted into the recast *Reception Conditions Directive 2024/1346*, which will come into effect in June 2026.

Ireland is a signatory to the Dublin Convention and is subject to the Dublin Regulation, which determines the EU Member State responsible for processing an asylum application made in the EU. Regulation 604/2013 ('the Dublin III Regulation') came into force on 29 June 2013.<sup>350</sup> The *European Union (Dublin System) Regulations 2014* were adopted to give further effect to the Dublin III Regulation.<sup>351</sup> These regulations were amended by the *European Union (Dublin System) (Amendment) Regulations 2016*.<sup>352</sup> The *European Union (Dublin System) Regulations 2018* came into effect on 6 March 2018.<sup>353</sup> The regulations give further effect to the Dublin III Regulation in Ireland and revoke the 2014 and 2016 regulations. The Dublin III Regulation will be replaced by the Asylum and Migration Management Regulation under the new Pact, which will come into effect in June 2026.

Ireland does not participate in the legal migration instruments under Title V except for the *Researcher's Directive 2005/71/EC*.<sup>354</sup>

Ireland is not part of the Schengen Area. In accordance with Council Decision 2002/192/EC,<sup>355</sup> Ireland requested to participate in certain aspects of the Schengen acquis, mostly related to police cooperation. Ireland participates in certain Schengen building measures in relation to irregular migration, including *Council Directive 2004/82/EC on the obligation of carriers to communicate passenger data*,<sup>356</sup> *Council Directive 2002/90/EC on facilitation of unauthorised entry*,<sup>357</sup> and *Regulation (EU) 2019/1240 on the creation of a European network of immigration liaison officers*.<sup>358</sup>

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- 349 *European Communities (Reception Conditions) Regulations 2018*, S.I. No. 230 of 2018. The European Commission in July 2016 launched proposals to replace the asylum qualifications and procedures directives with regulations and to further recast the Reception Conditions Directive.
- 350 Regulation (EU) No. 604/2013 (Dublin III Regulation) lays down the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.
- 351 European Union (Dublin System) Regulations 2014, S.I. No. 525 of 2014.
- 352 European Union (Dublin System) (Amendment) Regulations 2016, S.I. No. 140 of 2016.
- 353 European Union (Dublin System) Regulations 2018, S.I. No. 62 of 2018.
- 354 Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research.
- 355 Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis.
- 356 Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data. This directive was transposed into Irish law via the *European Communities (Communication of Passenger Data) Regulations 2011*, S.I. No. 597 of 2011.
- 357 Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence. The *General Scheme of the Criminal Justice (Smuggling of Persons) Act 2021* implemented this directive into Irish law.
- 358 Regulation (EU) 2019/1240 of the European Parliament and of the Council of 20 June 2019 on the creation of a European network of immigration liaison officers.

The Irish Government approved the participation of Ireland (opt-in) to the Regulation on the European Union Agency for Asylum in 2022. The European Commission confirmed Ireland's participation in July 2023.

### A.2.2 Irish immigration and asylum legislation

This section sets out the legislative framework as applicable on 31 December 2024.

Following a sharp rise in immigration flows from the mid-1990s,<sup>359</sup> several pieces of legislation were introduced to deal with immigration and asylum issues in Ireland. The *Illegal Immigrants (Trafficking) Act 2000*,<sup>360</sup> and the *Immigration Acts 1999, 2003 and 2004*, as amended, provide the basis for domestic immigration law in Ireland, in addition to pre-existing legislation such as the *Aliens Act 1935* (and Orders made under that Act). The *Criminal Justice (Smuggling of Persons) Act 2021*<sup>361</sup> replaces most aspects of the *Illegal Immigrants (Trafficking) Act 2000*. The *Employment Permits Act 2024* sets out the legal framework for the employment permits schemes. The *International Protection Act 2015* (as amended) sets out the domestic legal framework regarding applications for international protection and replaces the *Refugee Act 1996* (as amended),<sup>362</sup> and the *European Communities (Subsidiary Protection) Regulations 2013* (as amended). The *Irish Nationality and Citizenship Act 1956*, as amended, is the statute governing Irish citizenship.<sup>363</sup>

Since 31 December 2016, the single application procedure for international protection claims under the *International Protection Act 2015* has entered operation. Under the 2015 Act, applications for refugee status, subsidiary protection and permission to remain are assessed as part of a single procedure.

Under section 47(1) of the *International Protection Act 2015*, the Minister is bound to accept a positive recommendation of refugee status of the international protection officer or a decision to grant refugee status in relation to an appeal heard by the IPAT, but retains a discretion not to grant refugee status to a refugee on grounds of danger

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359 Prior to the mid-1990s, immigration and asylum legislation in Ireland was covered by such instruments as the Hope Hanlon procedure and the *Aliens Act 1935* (and Orders made under that Act), together with the relevant EU free movement regulations and directives, including: Regulation (EEC) No. 1612/68 and repealing Directives 64/221/EEC on freedom of movement for workers within the Community; 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families; 72/194/EEC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States; 73/148/EEC on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services; 75/34/EEC concerning the right of nationals of a Member State to remain in the territory of another Member State after having pursued therein an activity in a self-employed capacity; 90/364/EEC on the right of residence; 90/365/EEC on the right of residence for employees and self-employed persons who have ceased their occupational activity; and 93/96/EEC on the right of residence for students.

360 Certain aspects of the *Illegal Immigrants (Trafficking) Act 2000* have been amended by the *Criminal Justice (Smuggling of Persons) Act 2021*.

361 *Criminal Justice (Smuggling of Persons) Act 2021*, No. 42 of 2021.

362 The *Refugee Act 1996* has now been repealed.

363 The 1956 Act has been amended by the *Irish Nationality and Citizenship Acts 1986, 1994, 2001 and 2004*.

to the security of the State or to the community of the State where the refugee has been convicted of a particularly serious crime.<sup>364</sup> The Minister shall refuse a refugee declaration where an international protection officer has recommended that the applicant be refused refugee status but be granted subsidiary protection status, and has not appealed the decision not to grant refugee status. The Minister is also bound by a recommendation or decision on appeal in relation to subsidiary protection status, under section 47(4) of the Act. The Minister shall refuse both refugee status and subsidiary protection status where the recommendation is that the applicant be refused both statuses and the applicant has not appealed the recommendation, or when the IPAT upholds the recommendation not to grant either status. The Minister also refuses both refugee and subsidiary protection status in circumstances where appeals are withdrawn or deemed to be withdrawn.

Under section 49 of the *International Protection Act 2015*, the Minister is bound to consider whether or not to grant permission to remain to an unsuccessful applicant for international protection. Information given by the applicant in the original application for international protection, including at interview, as well as any additional information that the applicant is invited to provide, is taken into account.

Note that a repeal and replacement of the *International Protection Act 2015* is foreseen in 2025–2026 to implement the European Pact on Migration and Asylum. The General Scheme of the proposed replacement was published in 2025.

### A.2.3 Trafficking legislation

The *Criminal Law (Human Trafficking) Act 2008* creates offences related to trafficking in persons for the purposes of sexual or labour exploitation, or for the removal of their organs, and criminalises the selling or purchasing of human beings. The Act gave effect to the EU Council Framework Decision 2002/629/JHA on combating trafficking in human beings. The Act criminalises the trafficking of children into, through or out of the State, and amends the *Child Trafficking and Pornography Act 1998* to bring the offence of trafficking into line with other new trafficking offences. It also criminalises trafficking in adults.

The *Criminal Law (Human Trafficking) (Amendment) Act 2013* was introduced to give effect to certain criminal law provisions of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, which replaced Council Framework Decision 2002/629/JHA on combating trafficking in human beings.

The 2013 Act introduced a number of changes in substantive criminal law and criminal procedure in relation to trafficking offences. The Act replaced and expanded the original definition of exploitation in the 2008 Act to cover trafficking for the purposes

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364 Section 47(3), *International Protection Act 2015*.

of forced begging. It incorporates the definition of begging set out in the *Criminal Justice (Public Order) Act 2011*. The 2013 Act focuses on the phenomenon of begging as a form of forced labour. For this purpose, it incorporates the definition of forced labour in the *International Labour Organisation Convention No. 29 on Forced Labour* into the definition of exploitation. Other exploitative activities are also covered, such as trafficking for the purposes of criminal activities.

The *Criminal Law (Sexual Offences) Act 2017* makes it an offence for a person to pay to engage in sexual activity with a prostitute or a trafficked person, regardless of nationality. The person providing the sexual service is not subject to an offence. Part 4 (section 27) of the Act contains a specific reporting requirement on the implementation of the Act within three years, including in respect of the number of arrests and convictions, and an assessment of the impact of the legislation on the safety and wellbeing of persons who engage in sexual activity for payment.

The *Criminal Law (Sexual Offences) (Amendment) Act 2019* amends the *Criminal Law (Sexual Offences) (Amendment) Act 2017* in relation to sentencing for subsequent offences and in relation to the schedule of offences pursuant to section 58 of the *Criminal Law (Sexual Offences) Act 2017*. Section 4 of this Act inserts a new section 58 into the *Criminal Law (Sexual Offences) Act 2017* in relation to sentencing for repeat sexual offenders.

The *European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020* designate IHREC as Ireland's Independent National Rapporteur on the Trafficking of Human Beings.<sup>365</sup> As National Rapporteur, the tasks of the Commission include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close cooperation with relevant civil society organisations active in this field, and reporting.<sup>366</sup>

The *Criminal Law (Sexual Offences and Human Trafficking) Act 2024* provides for a mechanism for the identification of victims and presumed victims of human trafficking (the National Referral Mechanism) and the combating of the trafficking of persons. It also provides for the support of provision of assistance victims and provides for the establishment of a body known as the operational committee to oversee the National Referral Mechanism.

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365 European Union (Prevention and Combating of Human Trafficking) (National Rapporteur) Regulations 2020, S.I. No. 432 of 2020.

366 Correspondence with IHREC, October 2025.

### A.2.4 Sexual and gender-based violence

The *Criminal Law (Extraterritorial Jurisdiction) Act 2019*<sup>367</sup> gives effect to certain aspects of the Istanbul Convention on preventing and combating violence against women and domestic violence and extends the criminal law of the State to certain conduct engaged in outside the State. Sections 1 and 3 provide for extraterritorial jurisdiction over certain ‘relevant offences’ including murder, manslaughter, rape and sexual assault offences, under section 3, 4, 5, 9 or 10 of the *Non-Fatal Offences Against the Person Act 1997* in accordance with Article 44 of the Istanbul Convention. Section 4 amends the *Criminal Justice (Mutual Assistance) Act 2008* to provide for the application of the provisions of that Act to the Istanbul Convention. Following this legislation, Ireland ratified the Istanbul Convention on 8 March 2019.

### A.2.5 Free movement

The European Communities (Free Movement of Persons) (No. 2) Regulations 2006<sup>368</sup> were the principal regulations transposing EU Directive 2004/38/EC<sup>369</sup> on free movement of persons.<sup>370</sup> These were subsequently amended by the European Communities (Free Movement) (Amendment) Regulations 2008,<sup>371</sup> following the *Metock*<sup>372</sup> judgment of the European Court of Justice. The European Community (Free Movement of Persons) Regulations 2015,<sup>373</sup> which came into operation on 1 February 2016, give further effect to EU Directive 2004/38/EC and revoke the 2006 regulations, subject to transitional provisions.

The *European Union (Withdrawal Agreement) (Citizens Rights) Regulations 2020* entered operation on 31 December 2020. These regulations give effect to the provisions on residence and residence documents in Part Two (Citizens’ Rights) of the Withdrawal Agreement between the UK and the EU. The regulations make provision for the application, as appropriate, of the *European Communities (Free Movement of Persons) Regulations 2015* (S.I. No. 548 of 2015) to UK nationals and their family members to whom Part Two of the Withdrawal Agreement applies, and make provision for the issue of residence documents and permanent residence documents to such persons.<sup>374</sup>

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367 Act No. 6 of 2019.

368 European Communities (Free Movement of Persons) (No. 2) Regulations 2006, S.I. No. 656 of 2006.

369 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 amending Regulation (EEC) No 1612/68 and repealing directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.

370 These Regulations replaced the *European Communities (Free Movement of Persons) Regulations 2006*, S.I. No. 226 of 2006, consequent upon the enlargement of the EU on 1 January 2007.

371 European Communities (Free Movement) (Amendment) Regulations 2008, S.I. No. 310 of 2008.

372 Case C-127/08 *Metock and Ors vs Minister for Justice, Equality and Law Reform*. For case summary see: [www.emn.ie](http://www.emn.ie).

373 European Communities (Free Movement of Persons) Regulations 2015, S.I. No. 548 of 2015.

374 European Union (Withdrawal Agreement) (Citizens’ Rights) Regulations 2020, S.I. No. 728 of 2020.

## ANNEX B

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### List of EMN publications in 2024

#### B.1 EUROPEAN MIGRATION NETWORK PUBLICATIONS

##### Reports

Children in migration 2021–2022: An overview (10 July)

Annual report on migration and asylum 2023: Synthesis report (11 July)

The application of the Temporary Protection Directive: Challenges and good practices in 2023 (27 November)

##### Informers

Access to autonomous housing in the context of international protection (26 February)

Digitalisation of identity documents and residence permits issued to third-country nationals (21 March)

Family reunification for beneficiaries of international protection (19 April)

Labour market integration of beneficiaries of temporary protection from Ukraine (21 May)

Annual report on migration and asylum 2023: Inform (11 July)

Monitoring the integration of third-country nationals (31 July)

Coherent return and reintegration assistance (6 September)

Migration and development cooperation (13 September)

Practices and challenges in identifying victims of torture and/or ill-treatment in the context of international and temporary protection (20 September)

Implementation of measures for civic training as an important tool for integration of third-country nationals (7 October)

Governing the accommodation of international protection applicants (6 November)

Migration diplomacy: An analysis of policy approaches and instruments (19 November)

Application of the Temporary Protection Directive: Challenges and good practices in 2023 (27 November)

Processing the biometric data of third-country nationals (23 December)

## **B.2 EMN IRELAND NATIONAL CONTACT POINT PUBLICATIONS**

Amy Stapleton and Ciára Dalton (2024). The application of the Temporary Protection Directive: Challenges and good practices for Ireland. (ESRI Research Series)

Emily Cunniffe, Keire Murphy and Dervla Potter (2024). How do EMN Member States ensure systems for housing international protection applicants are ‘flexible’? (EMN Ireland Migration Memo)

Keire Murphy and Dervla Potter (2024). What caused the large increase in international protection applications in Ireland in 2022? (EMN Ireland Migration Memo)

Keire Murphy and Amy Stapleton (2024). Access to autonomous housing for beneficiaries of international protection in Ireland (ESRI Research Series)

Dervla Potter and Keire Murphy (2024). *How do EMN countries monitor the integration of non-EU nationals?* (EMN Ireland Migration Memo)

Amy Stapleton, Emily Cunniffe and Emma Quinn (2024). *Non-EU nationals in irregular employment in Ireland* (ESRI Research Series)

Dervla Potter, Yazmin deBarra and Keire Murphy (2024). *How do European countries manage family reunification for recognised refugees?* (EMN Ireland Migration Memo)





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