IRELAND’S NEW RESPONSIBILITY: REFUGEES BUY THE IRISH ANOTHER ROUND

#1285

I. INTRODUCTION

Throughout Ireland’s history, the world has viewed Ireland as its distant and helpless cousin.¹ Economic hardships, a confusion of political ideologies, British oppression, and mass emigration has stained the last few hundred years of Irish heritage.² However, over the last decade, the Irish not only persevered and overcame these obstacles, but also they transformed their small island into the economic envy of the European Union (EU).³ With this new found success comes significant responsibilities.⁴

For the first time in its history, Ireland has become a haven for asylum seekers from around the globe.⁵ Despite some challenges, Irish law in accordance with EU law has effectively conformed to cope with this sensitive issue.⁶ Ireland’s continued willingness to diversify its neighborhoods will promote even greater economic prosperity. Furthermore, refugees will satisfy several of the economic demands of Ireland’s massively growing economy. Asylum seekers granted refugee status in Ireland will satisfy present labor shortages in Ireland.⁷ Also, these refugees will allow Ireland to establish an economic partnership with non-EU countries.⁸

¹ See generally ALVIN JACKSON, IRELAND, 1798-1998 (Blackwell Publishers Ltd. 1999).
² See generally id.
³ Id. at 416.
⁴ See id; see also PAUL CULLEN, REFUGEES AND ASYLUM SEEKERS IN IRELAND I (Carol Coulter ed., Cork University Press 2000).
⁶ See CULLEN, supra note 4.
⁸ See JACKSON, supra note 1; see also Central Statistics Office, Trade with Non-EU Countries, February 9, 2005, available at http://www.cso.ie.
The arrival of refugees has the potential to promote and foster greater economic cooperation between Ireland and non-EU countries. This connection between Ireland and non-EU countries will be established because refugees residing in Ireland maintain a common heritage and language with the people of their native lands. Ireland’s government’s further acceptance of refugees will have a positive affect on the Irish economy. Refugees will satisfy significant market demands that resulted from the birth of Ireland’s incredible economic boom.

This comment will analyze Ireland’s formation of an asylum policy, and the implications of this policy on Ireland’s economy. Part II will trace the formation of Irish Refugee Policy from its invocation of the Geneva Convention relating to the Status of Refugees to the Refugee Act of 1996 as amended by the Immigration Acts of 1999, 2003 and the Illegal Immigrants (Trafficking) Act of 2000. After a discussion of the legal issues guiding European Union and Irish asylum policy, Part III will examine all the stages of the Irish asylum process. Part IV will examine the basic needs of refugees entering Ireland. Furthermore, Part V will address the past ethnic composition of Ireland compared to its present composition. Part VI will illustrate the characteristics, attributes, and labor skills of refugees. Part VII will examine the recent economic prosperity of Ireland. Moreover, Part VIII will predict that three significant factors concerning Ireland’s present refugee policy will allow Ireland to continue to enjoy economic prosperity. First, the acceptance of refugees will import innovative economic ideas to Irish society. Second, individuals granted refugee status would satisfy recent labor shortages in crucial sectors of the Irish economy. Third, the establishment of a more culturally diverse society will exponentially increase trade over the proceeding generations. Ireland’s continued willingness to form a refugee policy that is fair and just will solidify Ireland as permanent player in the global economic community.

9 See JACKSON, supra note 1; see also Trade with Non-EU Countries, supra note 8.
II. FORMATION OF REFUGEE POLICY

A. The Geneva Convention of 1951

The term “asylum seeker” is defined as a person who seeks recognition as a refugee in accordance with the 1951 Geneva Convention Relating to the Status of Refugees. 10 Additionally, Section 2 of the Refugee Act of 1996 defines a refugee as,

[A] person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it . . .

Ireland has been a party to the United Nations (U.N.) Geneva Convention relating to the Status of Refugees since November 29, 2004 and it also has been a party to the 1967 Protocol relating to the Status of Refugees since November 6, 1968. 12 The Geneva Convention relating to the Status of Refugees was originally adopted to handle individuals forced from their homelands due to the conflicts arising from World War II. 13 Moreover, it “has proved [to be] remarkably resilient in helping to protect an estimated 50 million people in all types of situations.” 14 The Geneva Convention of 1951 was important because it set out a refugee’s basic human rights, and “[i]t recognized the international scope of refugee crises and the necessity of international cooperation, including burden-sharing among states . . . .” 15 This Convention outlines a refugee’s rights to work, education, and accessibility to travel documents. 16 Also, this agreement

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12 Barcroft, supra note 5, at 97; see also Geneva Convention, 189 U.N.T.S. 137 (1996).
14 Id.
15 Id.
16 Id.
guarantees refugees the freedom of religion and movement.\textsuperscript{17} This document provides protection for those less fortunate individuals that have no choice but to leave their homelands due to social or political unrest.\textsuperscript{18} The protocol announced in 1967 removed the geographical and time limitations found in the original convention.\textsuperscript{19}

Despite these hospitable expressions, the U.N. clearly indicated that this document didn’t apply to individuals that have committed a crime against humanity, a war crime, or “a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee[].”\textsuperscript{20} After decades of willful ignorance, the members of the United Nations realized that measures must be taken to protect those whose rights have been abused or usurped by situations of civil unrest within the borders of their homelands.\textsuperscript{21} However, in Ireland, the legislative methods needed to solidify these principles into law were left undetermined until the enactment of the Refugee Act in 1996.\textsuperscript{22}

\textbf{B. An Integrated Europe}

Before discussing relevant Irish legislation enacted in the 1990s, the evolution of European asylum policy following the Geneva Convention must be examined because the roots of Irish legislation lie in collective European legislation.\textsuperscript{23} Ireland would not develop its own policies in the form of national legislation until many years after the Geneva Convention.\textsuperscript{24} Ireland and other European nations strived for an economically and politically integrated union

\textsuperscript{17} Id.
\textsuperscript{18} Id.
\textsuperscript{19} \textit{Frequently Asked Questions}, supra note 13.
\textsuperscript{21} \textit{Frequently Asked Questions}, supra note 13.
\textsuperscript{22} Barcroft, supra note 5, at 97.
through various treaties originating from the enactment of the European Coal and Steel Treaty in 1951 to the Treaty on European Union in 1992.\textsuperscript{25} The Treaty on European Union in 1992 was significant because it progressed European integration through the introduction of a single currency.\textsuperscript{26} This treaty also “harmonize[d] asylum and immigration policies . . . [with] the introduction of the concept of EU citizenship.”\textsuperscript{27} This would be the beginning of economic and political integration.\textsuperscript{28}

During the years of gradual integration, the European community introduced several significant agreements regarding refugees.\textsuperscript{29} In 1990, the Dublin Convention established standards to determine the state responsible for examining a particular asylum request.\textsuperscript{30} Before this Convention, asylum applicants roamed between member states submitting applications.\textsuperscript{31} All 15 EU members enacted this agreement domestically by September 1, 1997.\textsuperscript{32}

In 1990, the EU sought further cohesion between member states.\textsuperscript{33} The 1990 Schengen Convention was another enactment paving the way for Irish legislation.\textsuperscript{34} This convention sought to eliminate internal borders between member states while strengthening external borders surrounding the EU.\textsuperscript{35} The only EU countries that were reluctant not to participate in this convention were Ireland, Denmark, and the United Kingdom.\textsuperscript{36} In 1992, the London Resolutions, a non-binding resolution announced by the European Community ministers, dealt

\textsuperscript{25} BRUCE CAROLAN, EUROPEAN UNION LAW FOR IRISH STUDENTS 11-12 (Gill & Macmillan 2004).

\textsuperscript{26} Id.

\textsuperscript{27} The State of the World’s Refugees, supra note 23, at 159.

\textsuperscript{28} CAROLAN, supra note 25, at 11-12.

\textsuperscript{29} The State of the World’s Refugees, supra note 23, at 159.


\textsuperscript{31} The State of the World’s Refugees, supra note 23, at 159.

\textsuperscript{32} See id.

\textsuperscript{33} Id.

\textsuperscript{34} Id.

\textsuperscript{35} PAPADEMETRIOU, supra note 30, at 24-25.

\textsuperscript{36} The State of the World’s Refugees, supra note 23, at 159.
with immigration issues. This resolution defined a manifestly unfounded asylum application as asylum applicants that have no serious risk of persecution upon being returned to their homeland. Moreover, in 1997, EU member states committed to the development of uniform integration and common asylum policies within a five-year period in the Treaty of Amsterdam. The Treaty of Amsterdam was a promise between member states to dedicate themselves to the serious issues concerned with asylum seekers. These significant resolutions by the EU paved the road for Ireland to apply these standards while introducing its own legislation in order to make the proper adjustments to establish their own effective asylum policy.


In 2004, the EU proposed the establishment of the European Refugee Fund. This fund consists of appropriations to ensure that all member states formulate their own asylum policies in accordance with acceptable standards so that more uniform policies would be developed throughout the EU. It also takes into account the needs of the most vulnerable asylum seeking groups. These groups would consist of unaccompanied minors, single mothers, victims of torture, and individuals needing medical treatment.

Three of the most important fifteen recommendations of the European Refugee Fund proposal are the first, second, and seventh recommendations. The first recommendation discusses the importance of improving reception facilities. In many cases, vulnerable

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37 Id.
38 Id.
39 Id.
40 Id.
41 Id.
42 The Asylum Process, supra note 10.
43 2004 O.J. (C 318) 30.
44 Id. at 30.
45 Id. at 31.
46 Id.
47 Id. at 31-33.
individuals are overlooked due to overcrowding. The second recommendation states that the European Refugee Fund may not “support returns if it cannot be guaranteed that people can return to their home country safely and with respect for their human rights.” The seventh recommendation emphasizes that host country’s officials should become more active in learning foreign languages in order to effectively integrate refugees into society. The recommendations presented in the proposal for a Council Decision establishing the European Refugee Fund are intended to bring all the member states’ policies and procedures into line so that only one European level exists.

Similar to the proposal above, the Proposal for a Council Directive on minimum standards for the qualification and status of third-country nationals and stateless persons as refugees is intended to harmonize the national asylum systems of the EU by discouraging asylum shopping. Asylum shopping allows asylum seekers to apply for stay in nations with the most liberal policies. This proposal establishes minimum standards used to grant asylum requests. These two recent proposals would accelerate the establishment of a common asylum policy within the EU.

D. Ireland’s Refugee Legislation

The Refugee Act of 1996, as amended by later acts, was composed with the intention to give statutory effect to the policies under the 1951 Geneva Convention relating to the Status of

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48 2004 O.J. (C 318) 30, 31; Vulnerable individuals include sick individuals and young children.
49 Id. at 32.
50 Id. at 33.
51 Id. at 30.
52 2002 O.J. (C 221) 43, 43.
53 Id.
54 Id.
55 2004 O.J. (C 318) 30; see also 2002 O.J. (C 221) 43.
Refugees and the 1967 protocol. Section nine of the Act states that an asylum applicant “shall be allowed to enter the country and to remain there until . . . his/her application is transferred to another country under the provisions of the Dublin convention; . . . the application is withdrawn or deemed to be withdrawn; . . . [or] the application is rejected.” Moreover, section twenty-four of the Act defines a “programme refugee” as an individual who has been granted permission to enter or remain in Ireland for temporary protection. These individuals would usually be invited to Ireland upon request from the United Nations High Commissioner on Refugees (UNHCR) in the event of a humanitarian crisis. The recent amendments to the Act provide that a Refugee Appeals Tribunal is established in order to decide appeals. At this time only five sections of the Act have been implemented, but Irish legislators are optimistic that most of the Act will be implemented within a few years.

Moreover, the Refugee Act of 1996 is the primary statutory authority expressing the rights and entitlements of refugees in Ireland. This Act gives refugees the right to employment, education, receipt of medical services, travel, religious freedom, access to Irish courts, and membership to organizations and associations. This Act preserved the rights of refugees in the hopes that these individuals might achieve a lifestyle resembling that of Irish citizens.

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56 See generally The Asylum Process, supra note 10; this act was later amended by section 11(1) of the Immigration Act 1999, section 9 of the Illegal Immigrants (Trafficking) Act 2000 and Section 7 of the Immigration Act 2003
58 Refugee Act, No.17, 1996.
59 See generally IRELAND, supra note 57.
60 See generally id.
61 See generally id.
62 Two Way Process, supra note 24, at 12.
63 Id.
64 See id. at 12-13.
defined in the Refugee Act of 1996 are similar to the rights of refugees outlined in the U.N. Geneva Convention relating to the Status of Refugees.  

III. ASYLUM PROCESS

A. The Process

In order to sufficiently understand Irish asylum policy, an examination of the asylum process is required. Upon arrival into Ireland, asylum seekers submit documentation and are fingerprinted by State officials after completing an application for asylum. After the application is submitted, the asylum seekers will be called for an initial interview in order to make specific inquiries. First, the interviewer inquires about the legal grounds for allowing or disallowing the individual to retain refugee status. Second, the nationality, identity, and country of origin are determined. Third, information regarding the applicant’s travel to Ireland is ascertained. This would include the route of travel and the carriers used for transport. Fourth, the interviewer determines the reasons why the applicant seeks refugee status in Ireland.

After the initial application procedures are completed, the asylum seekers are transferred from the reception centers to long-term accommodation structures usually located outside urban areas. If individuals cannot these costs, then they are able to apply for State assistance.

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65 Id. at 13.
67 See generally id.
68 See generally The Asylum Process, supra note 10.
69 Id.
70 Id.
71 Id.
72 Id.
73 The Asylum Process, supra note 10; Refugee Information Service, supra note 66.
Children under the age of eighteen years old are provided primary and secondary education.75 Medical services are also available without cost.76 “Asylum-seekers in Ireland are banned by the State from taking up paid work (despite past support jointly by IBEC, ICTU and the Irish National Organization of the Unemployed that asylum-seekers should be allowed to work six months after their applications were lodged).”77 Asylum seekers wait in a state of limbo while their applications are processed.78

B. Decision Making

After the asylum seeker submits his or her application, the Office of the Refugee Application Commissioner (ORAC) conducts an investigation to determine whether the applicant should be granted Refugee Status as outlined under the amended Refugee Act of 1996.79 Thereafter, an applicant will be required to attend a second interview in order to allow the individual to explain the reasons why he or she fears return to their country.80 The ORAC will determine if the applicant presented credible facts to the State.81 The Commissioner will examine whether the asylum seeker provided adequate documentation to support his claim, and whether the applicant gave a reasonable explanation for his or her claim that Ireland was the first country in which he or she arrived after leaving his or her native country.”82 The Commissioner will inform the asylum seeker by letter of its decision.83 The Commissioner may make a
decision that the application was manifestly unfounded, a negative decision, or a positive decision.84

At the first instance,85 the Commissioner may announce that the application is manifestly unfounded.86 A finding that an application is manifestly unfounded means that an asylum applicant has no serious risk of persecution upon being returned to their homeland.87 Zgnat’ev v. the Minister for Justice, Equality and Law Reform88 indicates the difference between the appeals process for negative decisions and manifestly unfounded decisions.89 The Zgnat’ev case states that an individual may appeal when his or her application is believed to be manifestly unfounded.90 However, the Tribunal will only examine the application on the basis of documentation because the individual is not entitled to an oral hearing.91

An asylum seeker will have fifteen days from the date of notification to appeal the negative decision to the Refugee Appeals Tribunal.92 The asylum seeker may request an oral hearing requiring his or her attendance, or the Tribunal may simply arrive at a determination based on previous fact-finding and provided documentation.93 If the Tribunal affirms the decision of the Commissioner, the Minister will make an immediate deportation order for the applicant.94 However, if the Tribunal makes a positive decision, then the individual will immediately be granted full refugee status.95

84 Id.
85 “The First Instance” is Irish legal terminology used to refer to the first level of decision-making. This level of jurisdiction is synonymous with the United States Federal District Courts.
86 Kenny, supra note 79, at 29.
87 The State of the World’s Refugees, supra note 23, at 159.
89 Kenny, supra note 79, at 30.
90 Zgnat’ev, [2001] 70 I.E.H.C.
91 Id.
92 Kenny, supra note 79, at 28.
93 Id.
94 Id.
95 Id.
A positive decision will allow the applicant to be recognized as a refugee as stated in the Refugee Act. The individual will be afforded the right to work, to start a business, to have the same education and training as an Irish citizen, and to access the same medical services and social welfare payments as an Irish citizen. Furthermore, this decision will afford the refugee the right to access the national courts, “[t]o buy and sell property”, and “[t]o membership of associations or trade unions[.]” However, negative decisions prohibit the applicant from attaining these rights.

In certain situations, Irish officials will decline to examine an application because an applicant had landed in a safe country before arriving in Ireland. In Anisimova v. Minister for Justice, a Russian asylum applicant had stopped in London, and then she voyaged to Ireland to apply for asylum. Ireland’s Supreme Court held that once an asylum seeker has reached a safe country that he or she is able to apply for asylum, he or she is unable to travel to other safe countries to seek asylum. This rule prevents asylum shopping. In Anisimovsa, Ireland’s Supreme Court held that even though the asylum applicant had spent less than twenty-four hours in England, the applicant must be immediately returned to England from Ireland where she could apply for asylum with the British government.

IV. MEETING THE BASIC NEEDS OF REFUGEES

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96 Id. at 27.
97 Id.
98 Kenny, supra note 79, at 28.
99 Id.
100 Anisimova v. the Minister for Justice [1997] 72 I.E.H.C.
101 Id.
102 Id.
103 See id.
104 Id.
Before refugees can be integrated into Irish society allowing them to become integral components of Ireland’s economic structure, Ireland’s government must meet refugees’ basic needs. Upon entering Ireland asylum seekers are in immediate need of services such as accommodation, welfare support, and healthcare. Also, asylum seekers granted refugee status have more long-term needs such as career training, English training, and education. If refugees do not have adequate resources to obtain housing, refugees become eligible for local authority housing. The Irish government will satisfy the basic accommodation needs of refugees who are unable to afford housing. Refugees that do not qualify for complete accommodation provision may be eligible for supplemental benefits under the Supplementary Welfare Allowance scheme. This assistance would supplement the amount of rent that can be paid by a refugee. Additionally, refugees who do not have adequate resources to live humanely can qualify for welfare assistance from the Irish government. Both Irish citizens and non-citizens residing in Ireland are entitled to social welfare payments on the same basis.

Similar to welfare support, “[r]efugees are entitled to the same level of health care as Irish citizens.” Studies have shown that health care needs of refugees are usually determined by their previous living conditions. Ireland’s government has realized that medical providers to refugees should be adequately trained in cultural differences so they are better equipped to

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105 See generally Two Way Process, supra note 24, at 13-14.
106 See generally id.
107 Id.
108 Id. at 14.
109 Id.
110 Id.
111 Two Way Process, supra note 24, at 14.
112 Id.
113 Id.
114 Id.
115 Id. at 31.
treat individuals from culturally diverse backgrounds.\textsuperscript{116} Studies have demonstrated that refugees experiencing high levels of anxiety and stress seek medical treatment for physical ailments at a higher rate than refugees with good mental health.\textsuperscript{117} Poor mental health results from characteristics associated with feelings of loneliness and isolation.\textsuperscript{118} Also, refugees having poor mental health tend to exhibit poor English skills.\textsuperscript{119} This correlation could be due to the frustration arising out of living in a society without the ability to communicate.\textsuperscript{120}

Both refugees and asylum seekers are provided education at primary and post-primary schools.\textsuperscript{121} Specially qualified teachers are employed in schools in order to provide younger refugees with an education that provides intensive English language assistance and training.\textsuperscript{122} In regards to education at the university level, refugee students are in the same position as their Irish colleagues in qualifying for admittance and receiving grants.\textsuperscript{123} Moreover, adult refugees have the opportunity to participate in English language training classes so they may have an easier transition while integrating into Irish society.\textsuperscript{124} English language training will promote employment opportunities for refugees.\textsuperscript{125} Ireland’s government offers a job placement service that matches refugees seeking employment with specific Irish employers.\textsuperscript{126} By meeting the basic needs of refugees, Ireland will be able to minimize their costs in integrating refugees into Irish society while maximizing refugees’ benefits to the Irish economy.\textsuperscript{127}

\textsuperscript{116} Id.
\textsuperscript{117} Two Way Process, supra note 24, at 31.
\textsuperscript{118} Id.
\textsuperscript{119} Id.
\textsuperscript{120} See id. at 14.
\textsuperscript{121} Id. at 13.
\textsuperscript{122} Id. at 13-14.
\textsuperscript{123} Two Way Process, supra note 24, at 14.
\textsuperscript{124} Id.
\textsuperscript{125} Id.
\textsuperscript{126} Id.
\textsuperscript{127} See id. at 13-14.
V. IRELAND’S PAST AND PRESENT ETHNIC COMPOSITION

A. Statistics Relating to Asylum Seekers

In order to understand how the Irish asylum policy is implemented, the statistics relating to refugees must be examined so the type of individuals participating in this process will be known. From 1995 to 2000, roughly 10,000 asylum seekers entered Ireland.128 During this period, Ireland’s population increased from around 3,600,000 to 3,900,000.129 Asylum seekers only constituted for 3.3% of this population change.130 However, the overwhelming majority of asylum seekers entered the country through Cork or Dublin.131 These two cities’ population change in this period was around 70,000.132 Moreover, these 10,000 asylum seekers constituted for approximately 14% of the population increase in these two significant Irish cities.133 This caused a clear change in the ethnic composition of urban neighborhoods.134

As discussed earlier, groups of refugees that fled their homelands due to war or other widespread conflicts, and that are granted residence in Ireland at the request of the UNHCR are referred to as programme refugees.135 Ireland has consistently accepted groups of these refugees since the middle of the twentieth century.136 In 1956, Ireland accepted 530 Hungarian refugees.137 Furthermore, 120 Chileans and 26 Iranian Bahais138 were admitted to Ireland between 1973 and 1985.139 Presently, 1,300 Bosnians and 800 Vietnamese are residing in

128 CULLEN, supra note 4, at 1.
129 Id.
130 Id.
131 Id.
132 Id.
133 Id.
134 CULLEN, supra note 4, at 1.
136 Id.
137 Id.
138 Individuals belonging to a religious movement originating in Iran in the nineteenth century and emphasizing the spiritual unity of mankind.
139 Two Way Process, supra note 24, at 2.
Ireland. However, Kosovar refugees account for the most recent influx of programme refugees gaining entry into Ireland.

Another class of individuals is seeking humanitarian leave to remain. Individuals receive humanitarian leave to remain when they don’t satisfy all the requirements necessary to obtain refugee status. However, these individuals’ situations are analogous to the situations of refugees. These individuals have faced an imminent threat in his or her native country. These individuals are granted humanitarian leave to remain by Ireland’s government on a case-by-case basis. From 1992 to 2000, only seventy individuals have been granted humanitarian leave to remain in Ireland.

The most recent data reflects that during the first two quarters of 2004, 566 asylum seekers were admitted as refugees in Ireland, and 2,118 new applications submitted during this period. Of these recognized 566, 213 were admitted at the first stage. From January to June 2004, 955 applicants originated from Nigeria, and this was clearly the majority. The other main countries of origin consisted of Romania with ninety-four, the Democratic Republic of Congo with ninety-four, China with ninety, and Somalia with seventy-seven.

Over the last decade, Ireland has steadily increased its numbers of asylum seekers and recognized refugees. In 1994, 400 refugees were living in Ireland, and in 1996, this figure

140 Id.
141 Id.
142 CULLEN, supra note 4, at 61.
143 Id.
144 Id.
145 Id.
146 Id.
147 Id.
148 Asylum-Seeker and Refugee Statistics, supra note 77.
149 Id.
150 Id.
151 Id.
drastically dropped to sixty-nine. However, in 2003, the United Nations High Commissioner for Refugees (UNHCR) reported that 5,971 recognized refugees inhabited Ireland. Similarly, the number of asylum applicants increased from 107 in 1996 to 7,391 in 2003. Furthermore, the total number of recognized refugees and asylum applicants living in Ireland between 1997 and 2003 remarkably increased from 1,711 to 13,362.

During the period between 1999 and 2003, Bosnia and Herzegovina produced the most Irish refugees ranging from 507 to 652 throughout these years due to government unrest and ethnic cleansing in the Balkan region. Nigeria produced the second most refugees during this period. Nigeria “which is not generally perceived as a country of crises, has seen considerable violence.” More than fifty Nigerians “were killed in Lagos in November, 1999, during ethnic clashes.” In southern Nigeria, “more than 2,000 Odi people were reportedly killed by government soldiers.” These figures illustrate that Ireland has experienced an extreme change in its ethnic composition in a very short period.

B. Diversification and Integration

Before an understanding can be established regarding refugee integration and contribution to the Irish labor market, an analysis of social integration of refugees is required. After this influx of mass immigration, questions arose asking how these new faces would integrate with the island’s natives. “The sudden reversal of decades of emigration, and its

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153 Id.
154 Id.
155 Id.
156 Id.
157 Id.
158 2003 Statistical Yearbook, supra note 152.
159 CULLEN, supra note 4, at 47.
160 Id.
161 Id.
162 Id. at 1.
163 Id.
replacement by immigration from all parts of the globe, has profoundly altered Irish self-
identity.” ¹⁶⁴ Similar to most other industrialized countries, social recognition as Irish is only
attained through the birth from Irish parents. ¹⁶⁵ After the mass immigration in the 1990s, both
the non-government and government sectors initiated action in order to ensure effective
integration. ¹⁶⁶ “Integration means the ability to participate to the extent that a person needs and
wishes in all of the major components of society, without having to relinquish his or her own
cultural identity.” ¹⁶⁷ If Ireland is going to continue to be successful in its efforts to promote
multiculturalism, the Irish must sincerely celebrate all cultures including their own.¹⁶⁸ The
responsibility of transforming Ireland into a land that embraces refugees and welcomes cultural
diversity demands a joint effort from both the Irish government and the individual citizens of
Ireland.¹⁶⁹ Particularly, each citizen shares a common responsibility to make Ireland a tolerant
society.¹⁷⁰

Family reunification has been an important concern for government officials in
attempting to effectively integrate refugees.¹⁷¹ The importance of family reunification has been
highlighted in significant international documents such as the Universal Declaration on Human
Rights of 1948 and the United Nations Covenant on Civil and Political Rights.¹⁷² “These
[documents] identified the family as a natural and fundamental unit of society entitled to

¹⁶⁴ Id.
¹⁶⁵ Promoting the Study of historical and Contemporary Migration, to and from Ireland, within Comparative
International Framework, Using New Information and Communication Technologies, Irish Centre for Migration
Studies, available at http://migration.ucc.ie (last visited February 10, 2005) [hereinafter Contemporary Migration];
see also Immigration Into Ireland: Trends, Policy Responses, Outlook, B3-4102, 2001, available at
http://migration.ucc.ie/irelandfirstreposrt.htm [hereinafter Immigration Into Ireland].
¹⁶⁶ See Contemporary Migration, supra note 165; see also Immigration Into Ireland, supra note 165.
¹⁶⁸ Contemporary Migration, supra note 165.
¹⁶⁹ Two Way Process, supra note 24, at 3.
¹⁷⁰ Id.
¹⁷¹ Id. at 32.
¹⁷² Id.
protection by society and the State."173 Family reunification exists when newly arriving asylum seekers are granted refugee status and are allowed to be reunited with family members who are also refugees.174 This reunification eliminates loneliness and feelings of isolation for many refugees while raising their spirits.175 Also, the reunification of relatives provides both emotional and social support for refugees in the host country because they will be near individuals from the same background and nationality.176 Ireland has shown extreme sensitivity towards the issue of family reunification, and the government of Ireland has made important provisions to encourage and promote family reunification.177

Over the last two decades the Irish government has diligently formed agencies and enacted legislation to effectively integrate refugees.178 In Cork, a social housing project displayed a banner stating, “we wish we were refugees.”179 These actions don’t illustrate the Irish’s disdain towards new arrivals, but it demonstrates the government’s transparent commitment to helping refugees.180 Some Irish citizens argue that the government has become so sensitive to the plight of the refugees that the government has overlooked the needs of its own less fortunate citizens.181 This issue may cause future hardships for asylum seekers in the form of discrimination, but presently, this concern illustrates that the Irish government is sincere and diligent in its efforts to integrate refugees with the rest of Irish society.182 Since 1989, Ireland’s government has aggressively enacted anti-discriminatory and equal opportunity legislation.183

173 Id.
174 Id.
175 Two Way Process, supra note 24, at 32.
176 Id.
177 Id.
178 See generally Immigration Into Ireland, supra note 165.
179 Contemporary Migration, supra note 165.
180 Id.
181 See generally id.
182 See generally id.
183 Immigration Into Ireland, supra note 165.
Over the last twenty years, Ireland has enacted various statutes to suppress discrimination and racism in order to shield minorities from oppressive conduct. The enactment of the Prohibition of Incitement to Hatred Act of 1989 intended to protect minorities in Ireland from individuals that attempted to spread racist messages. This act prohibits using words, demonstrating behavior, or publishing or distributing materials that are threatening, abusive or insulting. Also, materials that have the propensity to initiate hatred are prohibited. However, this Act was ineffective because prosecutors struggled in the application of this Act. No single case prosecuted under this law has been upheld because prosecutors could never meet their burden of proving that the conduct incited hatred. Irish judges were hesitant to rule in accordance with the statute because freedom of speech implications always arose.

The next form of significant Irish legislation to promote effective integration arrived in 1998. The Equal Employment Act prevents employment discrimination on the basis of gender, marital status, family status, sexual orientation, religious beliefs, age, disability, and race. This statute offered specific protection for refugees employed in both the private and government sectors. Additionally, the Equal Status Act of 2000 prevents discrimination of goods, services, education, and property. This act provides refugees with equal access to all public entities. This would include access to restaurants, transportation, and entertainment.

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184 See generally id.
185 Id.
187 Id.
188 See id.
189 See id.
190 Immigration Into Ireland, supra note 165, at 16.
191 Id.
192 Id.
193 Id.
194 Id.
195 Id.
In addition to significant legislation, the Irish government formed specific state agencies and committees with the sole intention of creating equality among all individuals living in Ireland.196 The Office of the Director of Equality Investigations and the Equality Authority are assigned the task of enforcing the previously discussed anti-discriminatory and equality legislation.197 These bodies investigate discrimination claims arising under Irish law.198 Moreover, The National Consultative Committee on Racism and Interculturalism works to promote acceptance of a more multicultural Ireland.199 Unlike the state agencies, this committee doesn’t have statutory powers to either enforce or investigate claims.200 However, this committee has been effective in promoting public awareness of issues concerning discriminatory actions against asylum seekers and refugees.201

A significant government project dedicated to the integration of refugees is The Access Ireland Project.202 This project is primarily funded by the *European Union budget line on integration of refugees*.203 The goal of this Irish project is to pinpoint and popularize the positive contributions of refugees and the benefits in attaining a more multiculturalistic society in Ireland.204 Also, this project is dedicated to improving refugee access to health and social welfare services.205 Furthermore, the Irish officials guiding this project encourage non-

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196 Immigration Into Ireland, *supra* note 165.
197 *Id.*
198 *Id.*
199 *Id.*
200 *Id.*
201 *Id.*
202 *Two Way Process, supra* note 24, at 19.
203 *Id; The European Budget line on integration of refugees* is a fund established by the EU parliament that collects money that is later dispersed to member state to support their efforts concerned with effectively integrating refugees with the rest of the country’s society.
204 *Two Way Process, supra* note 24, at 19.
205 *Id.*
discriminatory practices of refugee service providers through the development of specialized training programs.\(^{206}\)

Another significant government project is the Zena project.\(^{207}\) The Zena Project has three broad goals.\(^{208}\) First, this project promotes a greater accessibility to education for refugee women.\(^{209}\) Second, Zena attempts to establish links among various refugee groups in Dublin.\(^{210}\) Third, this project wants to achieve more in depth research of refugees in the form of surveys in order to discover present the needs and barriers facing refugees.\(^{211}\) The Zena Project and The Access Ireland project are only two of the many projects formed by the Irish government in the hopes of promoting multiculturalism in Ireland.\(^{212}\)

Female refugees pose unique problems for host countries.\(^{213}\) Female refugees have a greater propensity to face discriminatory actions than male refugees.\(^{214}\) The Irish government tackled these problems by establishing a Gender Equality Unit through the National Department of Justice, Equality, and Law Reform.\(^{215}\) This group developed a National Development Plan (NDP) in order to provide awareness of the troubles that female refugees encounter.\(^{216}\) This unit also promotes publications by Non-Government Organizations (NGOs) regarding gender specific issues.\(^{217}\) Furthermore, in order to further public awareness, in 2001, Ireland created a National Anti-Racism Awareness Program entitled \textit{Know Racism}.\(^{218}\) This program is a nationwide marketing strategy consisting of media messages expressing positive feelings towards

\(^{206}\) \textit{Id.}  
\(^{207}\) \textit{Id.} at 18.  
\(^{208}\) \textit{Id.}  
\(^{209}\) \textit{Id.} at 19.  
\(^{210}\) \textit{Two Way Process, supra} note 24, at 19.  
\(^{211}\) \textit{Id.}  
\(^{212}\) \textit{See generally id.} at 17-20.  
\(^{213}\) \textit{First National Report by Ireland, supra} note 186, at 10-11.  
\(^{214}\) \textit{Id.}  
\(^{215}\) \textit{Id.}  
\(^{216}\) \textit{Id.}  
\(^{217}\) \textit{Id.}  
\(^{218}\) \textit{Id.} at 12.
multi-culturalism and diversity.\textsuperscript{219} A pamphlet entitled \textit{What can you do against Racism} was mailed to every residence in Ireland.\textsuperscript{220}

The government also succeeded in its efforts to deter racism through the formation of a partnership with the farming sector, the community sector, and trade unions.\textsuperscript{221} This agreement named \textit{Sustaining Progress} encompasses issues relating to economic migration, the labor market, integration issues, racism, interculturalism, and the implementation of literacy and language training on behalf of adult minority linguistic groups.\textsuperscript{222} These significant sectors of society are committed to joining their resources in order to provide a more culturally accepting state.\textsuperscript{223} As outlined above, the Irish government has made numerous sincere and good faith efforts to ensure effective integration.\textsuperscript{224}

Non-government groups have made enormous attempts to assist asylum-seekers and refugees in Ireland.\textsuperscript{225} Before the government successfully formed a distinct integration plan, the private sector initiated the first efforts to integrate refugees and asylum seekers with the rest of Irish society.\textsuperscript{226} The funding originating from non-profit groups has been incredibly generous.\textsuperscript{227} These efforts combined with a solidified government policy will forward Ireland’s attempts in achieving a unified and more culturally diverse society.\textsuperscript{228}

VI. CHARACTERISTICS AND ATTRIBUTES OF REFUGEES

\textbf{A. Historical Look at Contributions of Immigrants and Refugees to Host Countries}

\textsuperscript{219} First National Report by Ireland, supra note 186, at 12.
\textsuperscript{220} Id.
\textsuperscript{221} Id. at 12, 47.
\textsuperscript{222} Id.
\textsuperscript{223} See generally id.
\textsuperscript{224} See generally id.
\textsuperscript{225} Contemporary Migration, supra note 165.
\textsuperscript{226} Id.
\textsuperscript{227} Id.
\textsuperscript{228} Immigration Into Ireland, supra note 165, at 16.
In order to predict the manner in which refugees will affect the Irish economy, an analysis of the characteristics and attributes of refugees is required. Throughout history, immigrants, refugees, and asylum seekers have made significant contributions to their host countries.229 “Refugees . . . can enrich the society around them and contribute to the continued development of Ireland . . . by participating in the activities of the community and society, drawing on their own experiences, culture and background – just as Irish emigrants have done down through the years in other countries.”230

A comparison of immigration in the United States in the mid-nineteenth century can be examined to illustrate the present wave of asylum seekers entering Ireland.231 Ireland was much like the U.S. before the U.S.’s period of mass immigration.232 Both countries were mainly homogenous except of course for the presence of native-americans in the U.S.233 The mass wave of Irish immigrants into the United States (U.S.) resulted in various contributions to the U.S. infrastructure.234 These new faces arriving in the U.S. used their skills as masons and bricklayers to lead construction of American cities along the east coast.235 In addition, both African and Irish immigrants altered the shape of American sports and entertainment.236 Moreover, the most significant contributions of Italian immigrants in the U.S. can be seen almost a century after their arrival.237 In the private sector, Italian Americans have been moving into executive positions at some of the most prestigious U.S. companies.238 In the 1970s, Lee Iacocca, an Italian American

230 Two Way Process, supra note 24, at 3.
231 See Barone, supra note 229.
232 See id.
233 See id.
234 Id. at 34.
235 Id.
236 Id. at 48–49.
237 See Barone, supra note 229, 146-148.
238 Id. at 148.
became the chief executive officer of Ford Motor Company.\(^{239}\) Also, Italian Americans made their presence known in the U.S government.\(^{240}\) Antonin Scalia, an Italian American, was confirmed as U.S. Supreme Court Justice in 1983.\(^{241}\) By analyzing the wave of immigration into the U.S. in the mid-nineteenth century, one can predict the positive economic implications that can arise if Ireland continues to accept new faces in the form of refugees.\(^{242}\)

**B. Attributes of Specific Refugee Groups Entering Ireland**

As discussed earlier the four largest groups presently entering Ireland, starting with the largest, are from Nigeria, Romania, The Democratic Republic of the Congo, and China.\(^{243}\) Recently, Nigerians have been Ireland’s largest asylum seeking group for several reasons.\(^{244}\) First, violent crime is rampant in Nigeria.\(^{245}\) Ordinary citizens will pose as police and military in order to rob others.\(^{246}\) Also, kidnapping for ransom of persons involved in the oil industry has been prevalent.\(^{247}\) In addition, violence between Muslims and Christian communities can occur without warning, and rival ethnic groups have been known to violently clash in certain areas of Nigeria.\(^{248}\) Most refugees originating from Ireland are seeking asylum on the basis of non-state persecution or persecution by the Nigerian military.\(^{249}\)

Despite the harsh reality of existence in Nigeria, many notable Nigerians have made significant contributions to the rest of the world in the areas of literature, entertainment, human

\(^{239}\) Id.
\(^{240}\) See generally id.
\(^{241}\) Id.
\(^{242}\) See id.
\(^{243}\) Asylum-Seeker and Refugee Statistics, supra note 77.
\(^{245}\) Id.
\(^{246}\) Id.
\(^{247}\) Id; See Obiora Chinedu Okafor, Convention Refugeehood, Early Warning Signs, and the Structural Crisis of Legitimate Statehood in Contemporary Nigeria, 9 BUFF. HUM. RTS. L. REV. 1, 6 (2003).
\(^{248}\) Travel Warning: Nigeria, supra note 244.
\(^{249}\) Id.
rights, and sports. Chinua Achebe, a famous Nigerian writer, was nominated for the Booker Prize for Literature, and he was later appointed the Goodwill Ambassador for the United Nations Population Fund. Additionally, Wole Soyinka, another famous Nigerian writer, was the first African to win the Nobel Peace Prize for Literature in 1986. Also, King Sunny Ade has made global contributions in the area of music. In 1999, he was nominated for Best World Music Album in the Grammy Awards. In the area of sports, two Nigerians, Hakeem Olajuwon and Michael Olowokandi, who later became U.S. citizens, have dominated their positions in the National Basketball League located in the U.S. From the discussion above, it seems obvious that Nigerians have numerous skills and attributes that could benefit host countries.

Presently, Romanians constitute the second largest group of asylum seekers. Both the Romas and Jews have been the two main subgroups of Romanians seeking asylum in Ireland. Several political groups having racist and anti-semitic ideologies exist in the Romanian Parliament. The Greater Romania Party is considered the most anti-semitic among the parties. They encompass roughly 4.5% of the Romanian Senate. The Romania Party of National Unity represents 4.3% of Romania’s Parliament, and this party’s racist views clearly

251 Id.
252 Id.
253 Id.
254 Id.
255 See id.
256 Asylum-Seeker and Refugee Statistics, supra note 77.
257 Romas are nomadic people who originated from Northern India, and they now live chiefly in south and southwest Asia, Europe, and North America. They have a distinct culture that has been subject to persecutory conduct for hundreds of years.
258 Tel-Aviv University Stephen Roth Institute, Anti-Semitism and Racism, Anti-Semitism Worldwide - Romania, at http://www.tau.ac.il/Anti-Semitism/asw98-9/romania.html (last visited March 6, 2005) [hereinafter Anti-Semitism].
259 Anti-Semitism, supra note 258.
260 Id.
261 Id.
make it an extremist party. Romania Mare is a political group that leads a slander campaign against the Roma. It publishes articles listing the crimes Romas commit in order to encourage negative public perceptions of the Roma. Due to the persecution motivated by racist groups, both Jewish and Roma individuals have difficulty sustaining a normal lifestyle in Romania. These individuals come from all types of professional backgrounds, and many of them have attained noteworthy academic achievements. Many of these persecuted asylum seekers would be an asset to host countries.

Asylum seekers from The Democratic Republic of Congo (DRC) may emerge as the largest group of asylum seekers seeking refuge in Ireland over the next ten years. After seventy-five years of colonial rule in the Congo, in the 1960s, the Belgians abruptly left the area while hastily transferring control to the people of the Congo. Economic exploitation resulting in a twelve billion dollar national debt and a war for political power in the region has caused an estimated 3.3 million deaths, and more than 2.5 million others have been displaced from their homes. In addition, neighboring Rwanda is a country controlled by a hostile dictatorship. Soldiers in Rwanda have launched military attacks on the DRC in order to gain control of diamond mines and other valuable minerals located within the border of DRC.

262 Id.
263 Id.
264 Id.
265 See Anti-Semitism, supra note 258.
266 See id.
267 See id.
269 Shah, supra note 268.
270 Id.
271 Id.
The people of the DRC seeking refugee status in Ireland have various attributes that will significantly benefit Irish society. Eventually the DRC will become a stable country because foreign countries will be willing to help this area of the world due to the presence of valuable resources and minerals. When help inevitably arrives, DRC will look for international trading partners. If Ireland continues to accept asylum seekers from the DRC, Ireland will gain an economic reward in the form of lucrative trading with DRC. Ireland will be able to initiate trade with the DRC because refugees residing in Ireland will provide a link between Ireland and DRC. The refugees from DRC residing in Ireland have the common heritage and linguistic abilities to negotiate and encourage trade with DRC government officials. As discussed above, Ireland’s continued willingness to open its doors to asylum seekers seeking protection in Ireland will result in long-term economic benefits for Ireland through the increase of international trade with non-EU countries, specifically DRC.

Asylum seekers originating from China will continue to be one of the largest groups seeking asylum in Ireland. “Decades of political persecutions, social chaos, economic privation and international isolation . . . ” has caused Chinese to flee their homelands. Refugees from China seeking haven in less industrialized countries such as Cambodia are facing fears that they will be deported back to China to endure punishment from the Chinese

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272 See id.
273 See generally id.
274 See id.
275 See Shah, supra note 268.
276 See id.
277 See id.
278 See id.
280 Id. at 321.
281 Id.
government.\textsuperscript{282} Chinese officials are manipulating political cooperation from these countries to hunt down refugees with political thoughts adverse to the Chinese government.\textsuperscript{283} These refugees are seeking relocation to safer countries, such as Ireland, through the help of the United Nations.\textsuperscript{284}

Refugees from China will bring forward thinking ideas and innovative ideas to Irish society.\textsuperscript{285} These characteristics are illustrated by many of these refugees’ political stance against the Chinese government.\textsuperscript{286} Refugees from China have courageously squared off against the Chinese government in hopes of establishing basic civil rights for Chinese citizens.\textsuperscript{287}

Furthermore, Chinese have contributed to host countries in the areas of engineering and the sciences.\textsuperscript{288} According to a U.K. study, an astounding 20\% of refugees from the far east entering the U.K. have attained sixteen years or more of formal education.\textsuperscript{289} Additionally, in the U.S, Chinese students have outscored their American colleagues on standardized tests.\textsuperscript{290} This group is characterized as highly motivated and this has resulted in their attainment of high levels of education.\textsuperscript{291}

\textbf{C. Present Studies Reporting Skills of Refugees}

Since the U.K. and Ireland receive similar groups of refugees, an analysis of U.K. studies and reports is beneficial in understanding the skills of refugees in Ireland.\textsuperscript{292} A recent survey

\begin{footnotesize}
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\item \textsuperscript{283} \textit{Id.}
\item \textsuperscript{284} \textit{Id.}
\item \textsuperscript{285} Grove, \textit{supra} note 279.
\item \textsuperscript{286} See \textit{id}.
\item \textsuperscript{287} See generally \textit{id}.
\item \textsuperscript{288} BARONE, \textit{supra} note 229, at 264.
\item \textsuperscript{289} Rachel Kirk, Skills Audit of Refugees, Home Office Online Report 37/04 at 15.
\item \textsuperscript{290} BARONE, \textit{supra} note 229, at 265.
\item \textsuperscript{291} \textit{Id.}
\item \textsuperscript{292} Association of London Government, \textit{Equalities Circular no. 34}, April 7, 2004 [hereinafter London Government].
\end{itemize}
\end{footnotesize}
highlighted positive refugee roles in the U.K. Similar to Ireland’s labor market, U.K firms have begun hiring refugees in order to compensate for labor shortages. In this survey, firm executives “... praised the commitment, strong work ethic and high productivity that refugees brought to their jobs.” Moreover, the U.K. has developed a program to integrate refugee skills into the workforce by creating refugee nurses. Dr. Narendra Makanji is Chairman of the Whittington Hospitals Trust, and this hospital has 2,500 employees. In regards to refugee employees, Dr. Makanji stated, “[w]e are very aware of the contribution which refugee professionals make to our work and our institution ... [t]heir contribution is a very positive one.”

In 2004, the U.K. released its largest ever skills audit of refugees. This audit illustrated that refugees are equipped with valuable skills and experience that are beneficial to the host country. The awareness of these skills by the citizens of the host nation could encourage a positive public perception of refugees resulting in effective integration. The U.K. reported that 30% of its refugees had attained the equivalent of a university degree. This report also suggested that approximately half of refugees were economically active before arriving in the U.K., characterizing the refugees demographic as an enterprising group. In addition, the economic activity rates of refugees were similar to that of the rates of U.K.’s own citizens.

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293 See generally Kirk, supra note 289.
294 London Government, supra note 292.
295 Id.
297 Id. at 1.
298 Id.
299 Kirk, supra note 289, at 1.
300 Id. at 23.
301 Id.
303 Kirk, supra note 289, at 23.
304 Id. at 21.
This notion demonstrates that even though refugees come from less industrialized nations, they have attained equal and similar skills as citizens from host countries.\textsuperscript{305} Lord Limerick, Chairman of Employability Forum, stated that “[r]efugees are ‘ordinary people in extraordinary circumstances’. We have benefited greatly from the contribution which they have made in many areas – in the business community, medicine, scholarship, education and in the arts, to name but some.”\textsuperscript{306}

In 2005, the private sector within the U.K. published its own findings concerning asylum seeker and refugee skills.\textsuperscript{307} This audit was designed by the private sector to provide a snapshot of the educational and employment experience of asylum seekers and refugees residing in the U.K.\textsuperscript{308} Of 193 respondents that gave information regarding previous employment in their native lands, 23% were in skilled trades, 18% ran their own business, 15% worked in professional occupations, and 10% worked in associated professional and technical fields.\textsuperscript{309} This audit clearly demonstrates that the negative perceptions of refugees as individuals that have been employed as unskilled workers due to their lack of education is wrong.\textsuperscript{310} Furthermore, this study shows that many refugees come from highly educated backgrounds, many of which have been employed in highly technical fields.\textsuperscript{311}

\textbf{VII. \textsc{Ireland’s Economy}}

\textit{A. Economic History}

\textsuperscript{305} See id.
\textsuperscript{306} The Untapped Workforce, supra note 302; The Employability Forum is an independent charity that promotes the employment of refugees in the U.K.
\textsuperscript{308} Id. at 3.
\textsuperscript{309} Id. at 2.
\textsuperscript{310} See id.
\textsuperscript{311} See id.
In order to effectively examine how refugees’ contributions will positively affect Ireland’s economy, an analysis of Ireland’s economic history is required. Asylum seekers have only recently targeted Ireland seeking refugee status due to its recent economic success.\textsuperscript{312} Before one can understand the role in which refugees will play in Ireland’s new economic structure, one must become familiar with the transformation of Ireland’s economy into the economic envy of the EU.\textsuperscript{313} Ireland’s economic history is plagued with poverty and deprivation.\textsuperscript{314} Oppression by the British from the 16th century to the 20th century slowly suffocated the island.\textsuperscript{315} By the early 1900s, large numbers of Irish emigrated from Ireland seeking financial stability and possibly survival.\textsuperscript{316} Immediately after Ireland gained independence from England in 1921, a civil war disrupted all hopes of solidifying an economic policy.\textsuperscript{317}

During the early part of the 20th century, asylum seekers and immigrants were not interested in residing in Ireland because of Ireland’s poor economic state and its unwillingness to open itself to foreign influences.\textsuperscript{318} In 1932, Eamon de Valera was elected to the head of state, and he regretfully maintained this position until the 1950s.\textsuperscript{319} Valera constructed an economic policy that was blind to international trade and foreign investment.\textsuperscript{320} He envisioned Ireland as a self-sufficient state that would rely solely its own resources and products.\textsuperscript{321} These policies

\textsuperscript{313} See generally id.
\textsuperscript{314} Id.
\textsuperscript{315} See id.
\textsuperscript{316} See id.
\textsuperscript{318} See id.
\textsuperscript{319} See id.
\textsuperscript{320} See id.
\textsuperscript{321} See id.
pushed Ireland into a depression until 1938.\textsuperscript{322} “[I]ndustrial exports fell by one-third and farm exports by almost half[,]” and these trends continued until the 1950s.\textsuperscript{323} In the 1950s, 400,000 individuals emigrated out of Ireland’s population of less than 3 million due to financial hardship.\textsuperscript{324}

In the middle of the 20th century, asylum seekers and immigrants would begin to notice Ireland as a possible option for residence due to Ireland’s shift in domestic policy.\textsuperscript{325} In 1958, Ireland shifted from a policy of protectionism to an open market through the implementation of the Economic Development Programme (EDP).\textsuperscript{326} This program attracted foreign capital.\textsuperscript{327} Furthermore, Ireland entered the Anglo-Irish Trade Agreement in 1965.\textsuperscript{328} Similar to the EDP, this agreement initiated an increase in foreign investment.\textsuperscript{329} By the 1960s, Ireland was considered an industrialized country thanks to the arrival of foreign industry.\textsuperscript{330} However, domestic businesses collapsed because they were unable to compete with these more sophisticated foreign bodies.\textsuperscript{331} Unemployment skyrocketed due to the weakened state of the clothing, textile, and chemical industries.\textsuperscript{332} In an attempt to repair these problems, Ireland attempted to diversify trade away from the U.K. and towards the rest of Europe.\textsuperscript{333}

\textsuperscript{322}See id.

\textsuperscript{323}See Coleman, supra note 317.

\textsuperscript{324}Frank Barry, \textit{Irish Economic Development over Three Decades of EU Membership}, University College Dublin at 2.


\textsuperscript{326}Id.

\textsuperscript{327}See id.

\textsuperscript{328}See id.

\textsuperscript{329}See id.

\textsuperscript{330}See id.

\textsuperscript{331}See Hyland, supra note 325.

\textsuperscript{332}See id.

\textsuperscript{333}See id.
Due to a significant act by the Irish government, the Irish doors to the acceptance of refugees and immigrants finally began to creak open.\textsuperscript{334} In 1973, Ireland joined the European Economic Community (EEC).\textsuperscript{335} Membership to this group permitted the free flow of goods and services between member states of the EU.\textsuperscript{336} This allowed Ireland to increase trade with European countries while diminishing its reliance on trade with the United Kingdom.\textsuperscript{337} However, the unemployment rate steadily increased over the next decade to a level of 17\%.\textsuperscript{338} By the mid 1980s, the inflation rate exceeded 10\%, and the average deficit was 7\% higher than the gross domestic product (GDP).\textsuperscript{339} This recession continued until 1987 when the country’s economic situation started to slowly improve.\textsuperscript{340} In the early 1990s, a long awaited blessing arrived through the birth of the Celtic Tiger.\textsuperscript{341}

\textbf{B. The Celtic Tiger}

The incredible economic growth over the previous ten years has caused economists to refer to Ireland as the Celtic Tiger.\textsuperscript{342} As discussed later, the growing pains of the Celtic Tiger would call for refugees to play a pivotal role in satisfying the demands of Ireland’s massively expanding market.\textsuperscript{343} In the late 1990s, figures showed that Ireland’s annual growth rate consistently exceeded 12\%.\textsuperscript{344} From the beginning of the 1990s, foreign entities continued to

\begin{footnotesize}
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\item \textsuperscript{334} See Michael Busby, \textit{Luck of the Irish: Ireland has Become the Technological Wonderland of the European Union}, 11 CURRENTS INT’L TRADE L.J. 55, 57 (2002).
\item \textsuperscript{335} Id.
\item \textsuperscript{336} Id.
\item \textsuperscript{337} Id.
\item \textsuperscript{338} Coleman, \textit{supra} note 317, at 836.
\item \textsuperscript{339} Id.
\item \textsuperscript{340} Id.
\item \textsuperscript{341} Id.
\item \textsuperscript{344} JACKSON, \textit{supra} note 1, at 416.
\end{itemize}
\end{footnotesize}
increase its investments in Ireland.\textsuperscript{345} This increase, combined with the newly established single European Union market, turned Ireland into an overnight economic miracle.\textsuperscript{346}

In particular, American companies were attracted to Ireland for numerous reasons.\textsuperscript{347} The Irish government drastically lowered corporate tax rates, and this allowed American businesses to achieve greater profit margins by establishing manufacturing plants on the island.\textsuperscript{348} Also during this period, the European Union created a single market allowing for free trade among member states.\textsuperscript{349} American companies that established offices in Ireland had access to all of the 300 million people residing within the borders of the EU.\textsuperscript{350} Furthermore, due to the lack of language barriers, Irish and American companies were able to effectively communicate, “. . . and it helped that some 40 million Americans trace their ancestry at least in part to Ireland.”\textsuperscript{351} American companies that have established offices and plants in Ireland include Dell, IBM, and Hewlett Packard.\textsuperscript{352} In 2001, Ireland’s foreign investment exceeded $17 billion, and the U.S. contributed to more than half of this total.\textsuperscript{353} As discussed later, the arrival of form companies and the expansion of industry would cause labor shortages that would be partially satisfied by refugees and immigrants.\textsuperscript{354}

Due to American contributions and Ireland’s educated workforce, Ireland has become a haven to the technology industry for both domestic and foreign companies.\textsuperscript{355} Ireland leads the

\textsuperscript{345} See generally O’Rourke, supra note 312.
\textsuperscript{346} See generally id.
\textsuperscript{347} See generally id.
\textsuperscript{348} See generally id.
\textsuperscript{349} See generally id.
\textsuperscript{350} See generally id.
\textsuperscript{351} See generally O’Rourke, supra note 312.
\textsuperscript{352} See id.
\textsuperscript{353} See id.
\textsuperscript{354} See Hoosen, supra note 343.
\textsuperscript{355} Coleman, supra note 317, at 852.
rest of Europe in software exports.\textsuperscript{356} Intel placed its largest manufacturing plant outside the U.S. in Ireland.\textsuperscript{357} This $2.5 billion plant produces the Pentium III chip.\textsuperscript{358} The Irish government has been successful in promoting the growth of the high tech industry.\textsuperscript{359} In 1999, the National Digital Park was established in Dublin.\textsuperscript{360} This Park is the center for communications and e-commerce trade for Europe.\textsuperscript{361}

Similar to the technology industry, Ireland has become the home to Europe’s pharmaceutical industry.\textsuperscript{362} Irish officials have termed pharmaceuticals as the engine of the economy.\textsuperscript{363} Internationally renowned pharmaceutical companies such as Johnson & Johnson and Beecham have placed plants in Ireland.\textsuperscript{364} With considerable financial support from the European Union and American investment, the Irish have been able to lead Europe in these lucrative industrial sectors.\textsuperscript{365} However, this economic boom has endured labor shortages that exist in numerous sectors of the Irish economy.\textsuperscript{366} Moreover, refugees can act as valid resources that could be used to remedy the labor shortage problem and allow Ireland’s economic growth to continue.\textsuperscript{367}

VIII. CURRENT REFUGEE POLICY WILL RESULT IN LONG-TERM ECONOMIC BENEFITS

A. Ireland’s Liberal Stance in Granting Refugees Citizenship

\textsuperscript{356} Id.  
\textsuperscript{357} Id. at 853.  
\textsuperscript{358} Id.  
\textsuperscript{359} Id. at 855.  
\textsuperscript{360} Id. at 854.  
\textsuperscript{361} Coleman, supra note 317, at 854.  
\textsuperscript{362} Id. at 856.  
\textsuperscript{363} Id.  
\textsuperscript{364} Id. at 856.  
\textsuperscript{365} See generally id.  
\textsuperscript{366} See generally Immigration Into Ireland, supra note 165.  
\textsuperscript{367} See generally id.
Under the 1951 Geneva Convention Relating to the Status of Refugees, asylum seekers granted refugee status are only allowed to remain in the host country for a temporary period. 368 If the fear of persecution is removed due to a change in circumstances in the refugee’s native country, this Convention requires the refugee be returned to his or her country. 369 However, if circumstances never change, then the refugee is allowed to remain in the host country indefinitely. 370 Long-term economic benefits resulting from Ireland’s acceptance of refugees is undermined if the majority of refugees are returned to their homeland after only a short stay. 371 A strict naturalization policy for refugees would be an economic burden for Ireland because Ireland would endure great expenses in accepting and integrating refugees, and Ireland would not receive economic benefits resulting from refugees’ permanent presence in Irish society. 372 However, refugees are able to attain Irish citizenship easily due to Ireland’s liberal naturalization policies for refugees. 373

Generally, the Irish government requires a refugee to reside in Ireland for at least five years before attaining citizenship. 374 In many scenarios, the government will waive the five-year requirement and approve applications for naturalization if the individual has resided in Ireland for more than three years. 375 Ireland developed a liberal citizenship policy in order to facilitate effective integration of refugees into Irish society. 376 “By granting citizenship, the refugee’s membership of society is acknowledged and this can be crucial to successful resettlement.” 377

368 *The Asylum Process, supra* note 10.
369 *Id.*
370 *Id.*
371 See *Two Way Process, supra* note 24, at 15, 32.
372 See *id.*
373 *Id.*
374 *Id.* at 15.
375 *Id.*
376 *Id.* at 32.
377 *Two Way Process, supra* note 24, at 32.
Citizenship will make the refugees feel more like a permanent part of Irish society. Refugees granted citizenship become more aware of their long-term economic roles in Ireland, and the long-term economic benefits of these individuals will finally be permanently secured by Ireland through naturalization. However, obtaining citizenship for numerous refugees may not be the ideal manner of securing permanent residency in Ireland because some countries require individuals to relinquish their former citizenship after obtaining citizenship in another country.

B. Labor Demands

At the turn of the century, Ireland developed growing pains when its economic boom faced a possible meltdown due to a labor shortage. Ireland’s government formalized recruiting strategies to attract both skilled and unskilled laborers to the island. One of the strategies involved creating a Jobs Ireland Program in hopes of bringing back individuals with Irish heritage that had emigrated as far back as the potato famine in the 1840s. This strategy only provided the labor market with half of the approximately 200,000 extra workers needed by 2004. As seen through the previous discussion of refugee attributes, refugees, asylum seekers, and immigrants are competent individuals that can play a major role in satisfying Ireland’s labor demands.

Additionally, refugees both fill jobs and make jobs. As previously discussed, many refugees and asylum seekers are educated individuals that have past experience in highly
technical fields.387 These refugees could satisfy labor demands in Ireland’s technical and pharmaceutical fields.388 Also, refugees and immigrants have a propensity to open small businesses that employ both natives and non-natives.389 This propensity to create self started businesses would ease the burdens on the Irish government to establish integration programs because refugees and immigrants would be mentored and integrated by non-native business owners that had previously arrived in Ireland.390 In most economies, small businesses are the most important source of new jobs.391 According to this theory, refugees would not only ease the labor shortage in Ireland, but they would initiate an even greater expansion of the Irish economy.392

C. Increased Trade with Non-EU Countries

In 2004, Ireland’s trade with non-EU countries marginally decreased.393 Exports of organic chemicals and computers decreased by 16% and 21% respectively.394 As less industrialized non-EU countries begin to develop, these non-EU countries will turn towards countries like Ireland in order to be provided with valuable products and goods.395 Through the acceptance of refugees, Ireland is indirectly developing relationships with these less industrialized non-EU countries.396 When these countries begin looking for an exporting nation, Ireland will have resources in the form of refugees that will enter negotiations and create deals with these countries.397 Ireland’s refugees will have the ability to communicate in their native

387 See Harrison & Read, supra note 307.
388 See id.
389 SIMON, supra note 7, at 252.
390 See id.
391 Id.
392 See id.
393 Trade with Non-EU Countries, supra note 8, at 1.
394 Id.
395 See JACKSON, supra note 1: see also Trade with Non-EU Countries, supra note 8.
396 See JACKSON, supra note 1: see also Trade with Non-EU Countries, supra note 8
397 See JACKSON, supra note 1; see also Trade with Non-EU Countries, supra note 8.
languages with officials from their native countries. This will create a connection with non-EU countries so that Ireland will be able to increase trade with non-EU countries through the creation of economic partnerships with refugees’ native countries.

IX. CONCLUSION

Ireland has been blessed over the last ten years through the arrival of the Celtic Tiger. With continued foreign investment targeting the Emerald Isle, it appears that the Celtic Tiger’s presence will remain in Ireland for future decades. However, in order for this economic growth to continue, Ireland needs two guarantees. First, Ireland must increase its trade with non-EU countries. Second, Ireland must satisfy labor demands caused by the growing pains of rapid economic growth. As discussed in this comment, Ireland’s continued acceptance of refugees can help satisfy these two economic demands.

Both government and non-government efforts have been successful in integrating refugees with the rest of society while achieving a more diversified Ireland. As mentioned earlier, the largest groups entering Ireland as asylum seekers have significant attributes that will be deciding factors in the longevity of the Celtic Tiger. Due to Ireland’s liberal naturalization policies, refugees can attain citizenship and their economic contributions to the Irish economy can be preserved. Ireland’s government’s further acceptance of refugees will have a positive effect on the Irish economy.

398 See JACKSON, supra note 1; see also Trade with Non-EU Countries, supra note 8.
399 See JACKSON, supra note 1; see also Trade with Non-EU Countries, supra note 8.
400 Powell, supra note 342.
401 See generally O’Rourke, supra note 312.
402 See JACKSON, supra note 1; see also Trade with Non-EU Countries, supra note 8.
403 Hoosen, supra note 343.
404 Contemporary Migration, supra note 165; see also Immigration Into Ireland, supra note 165.
405 See Famous Nigerians, supra note 250; see also Shah, supra note 268; see also Grove, supra note 279.
406 See Two Way Process, supra note 24, at 15, 32.
Several questions exist in regards to the manner in which Ireland should open its arms to asylum seekers. Most importantly, the Irish government must decide the number of refugees it is willing to accept. If Ireland’s population becomes diluted with non-natives, then it’s possible that Ireland will lose its own identity and culture. Ireland must only accept the minimum number of refugees to fulfill the demands of the Celtic Tiger. Presently, these numbers are incredibly high, but Ireland’s government must be conscious in not over burdening the system because over acceptance could have an adverse effect on Ireland’s economy.

Ireland has been successful in accepting refugees because it has steadily increased its numbers of refugees while monitoring possible effects on its economy. By steadily increasing numbers of accepted asylum seekers, Ireland’s government can maintain a close watch on the economic ramifications. Presently, Ireland must continue gradually granting asylum seekers refugee status because refugees play a significant role in promoting growth of the Irish economy.

For hundreds of years, the Irish have consistently fled the Emerald Isle and arrived in unfamiliar surroundings while influencing foreign cultures with their own.\textsuperscript{407} Ironically, the Irish are now the hosts of new faces and diverse cultures. Moreover, the Irish should remain sensitive to the concerns of refugees because the Irish should know how it feels to be treated as a new arrival in an unfamiliar land.

\textsuperscript{407} See generally JACKSON, supra note 1.