

GBV-MIG: Violence against Women Refugees and Migrants:
Analyzing Causes and Efficient Policy Response

Country Review – Ireland

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Table of Contents

Part I. Introduction and demographics	4
1. Demographic highlights	
Part II. Researching migration in Ireland: A critical literature review from the perspective of gender	9
1. Migrant groups literature	
<i>Polish migration</i>	
<i>'African' migration</i>	
<i>Brazilian migration</i>	
2. Migration, citizenship, racism: Frames and experiences	
<i>Critiques of Irish integration policies and case studies of migrants' experiences</i>	
<i>The citizenship debate in the light of contemporary migrations to Ireland</i>	
<i>Racism and anti-racism in Ireland: Academic analyses</i>	
<i>Migrants' access to social services: The healthcare sector example</i>	
3. International protection, the Direct Provision system and gender	
<i>Research and analyses of the Direct Provision system</i>	
<i>Women's experiences of the Irish 'international protection' system</i>	
Part III. The regulatory framework: Law, policy and implementation	23
1. Refugee law and policy	
<i>Failings in the assessment of 'vulnerable persons'</i>	
<i>Direct Provision</i>	
2. Migration law and integration policy	
<i>Integration policy</i>	
3. Health policies and strategies: The migration-gender-GBV nexus	
4. Anti-racism and social inclusion	
<i>Gendering debate on hate crime and hate speech</i>	
<i>Social inclusion</i>	
5. Gender-based violence and trafficking	
<i>Gender-based violence</i>	
<i>Habitual Residence Condition: An obstacle to safety</i>	
<i>Trafficking, gender and migration</i>	
6. Women-specific policies	
<i>National Strategy for Women and Girls 2017-2020</i>	
<i>Women, Peace and Security—Third National Action Plan 2019-2024</i>	

Part IV. Dominant narratives and media discourses	46
1. Portrayals of the Direct Provision system	
2. Citizenship ceremonies	
3. Multiculturalism in Irish schools	
Part V. Conclusion	57
References	59
1. Academic literature	
2. Newspaper articles	
3. Policy sources	
4. Law, treaties and directives	
Appendixes	74
Appendix A – Annotated list of key actors – Civil society groups and agencies	
Appendix B – Diversity of population 2002-2016	
Appendix C – Estimated immigration by sex and nationality 2000-2018	
Appendix D – Applications and granting of protection status at first instance: 2018	
Appendix E – Online newspaper word use tables	
Appendix F – Index to national strategies and policies	

Part I. Introduction and demographics

This report aims to provide a broad overview of recent academic literature relating to the nexus of migration and gender in Ireland. It also presents a survey of the regulatory framework of law and policy that constrains and differentiates migration into Ireland and shapes the subsequent experiences of different groups of migrants of their reception and integration into Irish society, with a particular focus on policy responses to GBV as it affects migrant and ethnic minority women. The report also offers a window on dominant narratives and public discourse relating to migration and migrants in Ireland through ‘snapshot’ analyses of news media coverage of timely and recurring issues, including the reception and accommodation of applicants for International Protection (asylum), ‘new citizen’ processes and ceremonies, and how cultural diversity is addressed vis-à-vis the Catholic dominated Irish schools system. Finally, the report includes an annotated list of key actors – civil society groups and agencies – that play a critical role in nexus of migration, gender and gender-based violence (GBV) in Ireland (Appendix A). The rest of Part I outlines some demographic highlights relating to migration in the Irish context today.

1. Demographic highlights

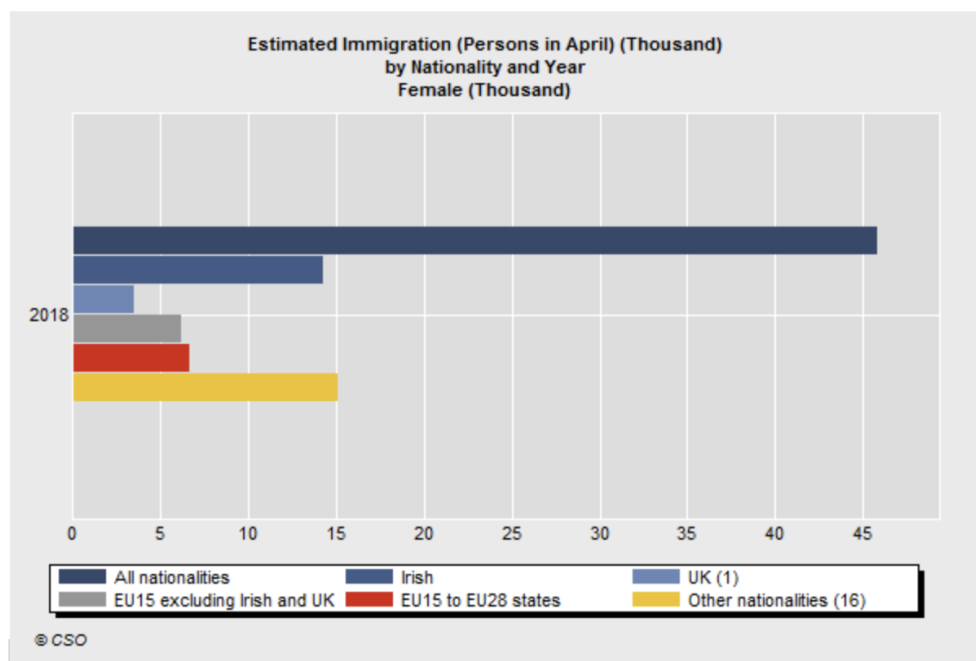
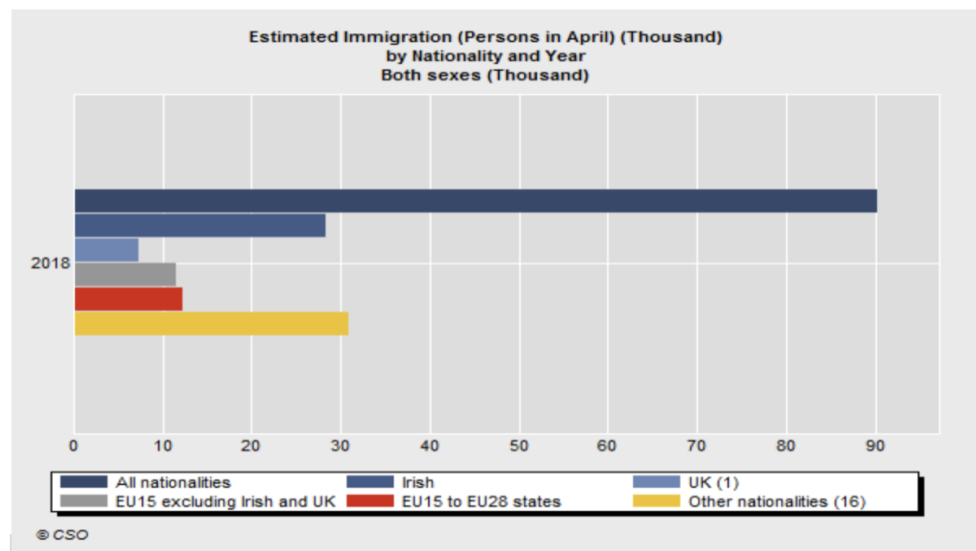
Previously one of Europe’s least economically developed countries with a pattern of high outward migration, in the late 20th century, as Ireland’s economy diversified and grew, for the first time, it became a country of net inward migration. The 2016 Irish census indicated that Polish and British nationals represented the largest communities of non-Irish nationalities resident in Ireland:

1. Polish – 122,515
2. UK – 103,113
3. Lithuanian – 36,552
4. Romanian – 29,186
5. Latvian – 19,933
6. Brazilian – 13,640
7. Spanish – 12,112
8. Italian – 11,732
9. French – 11,661
10. German – 11,531

Source: CSO (n.d.).

Census data also provides an overview of the sizes of the different communities of non-Irish nationals over the past two decades. For instance, while Poles already numbered 73,402 residents in 2006, they were not among the 10 biggest non-Irish national communities in 2002. Rather, migration ensued after Poland joined the EU in 2004. This also applies to Lithuanian and in the following years Latvian and Romanian migrants (Romania having joined in 2007). The figure also makes apparent the emergence of a recent yet significant Brazilian community (13,640 in 2016). Conversely, while Nigerians were among the 10 biggest non-Irish national communities in 2002, 2006 and 2011 (with 17,642 residents) they do not appear in the 2016 top 10 (For more information see Appendix B).

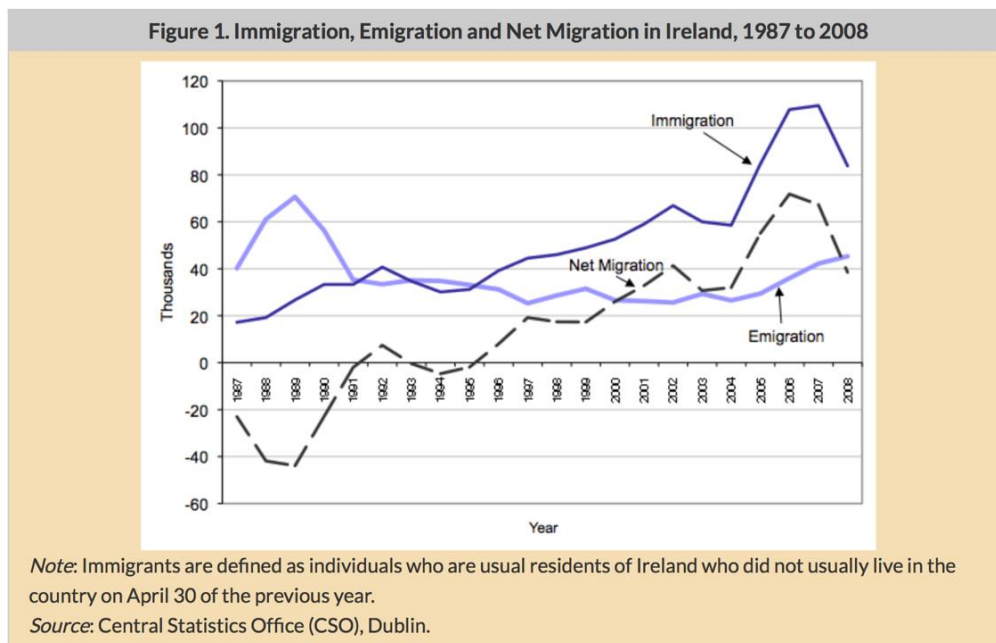
In 2018, around 90,000 immigrants were registered to reside in Ireland (including Irish people having moved back to Ireland). CSO (Central Statistics Office) data indicate that since 2000, immigration to Ireland appears to be gender-balanced overall for all categories. In 2018 men were slightly more numerous than women among British immigrants but more women than men came from both EU15 (excluding Irish and UK) and EU15 to EU28 countries (See Appendix C for more information). The following two tables allow for a more detailed reading of 2018 data by region of origin and sex.



Source: Retrieved from CSO database (<https://www.cso.ie/en/databases/>).

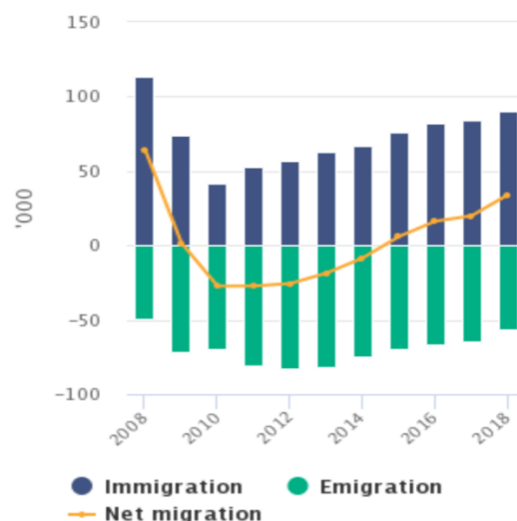
Ireland became an immigration country around 1995. The first CSO graph below also shows that emigration decreased in a significant manner between 1989 and 1991 and immigration rose around 1991-1992 leading to a temporary positive net migration in 1992. In the early 2000s both emigration and immigration were on

the rise, with immigration growing at a faster rate, before a sharp decrease in 2007-2008 in the context of the global financial crisis and economic downturn. The second CSO graph below further shows that in the aftermath of the 2008 economic crisis, net migration to Ireland decreased and became positive only six years later, around 2014.



Source: Ruhs and Quinn (2009).

Figure 1 Migration

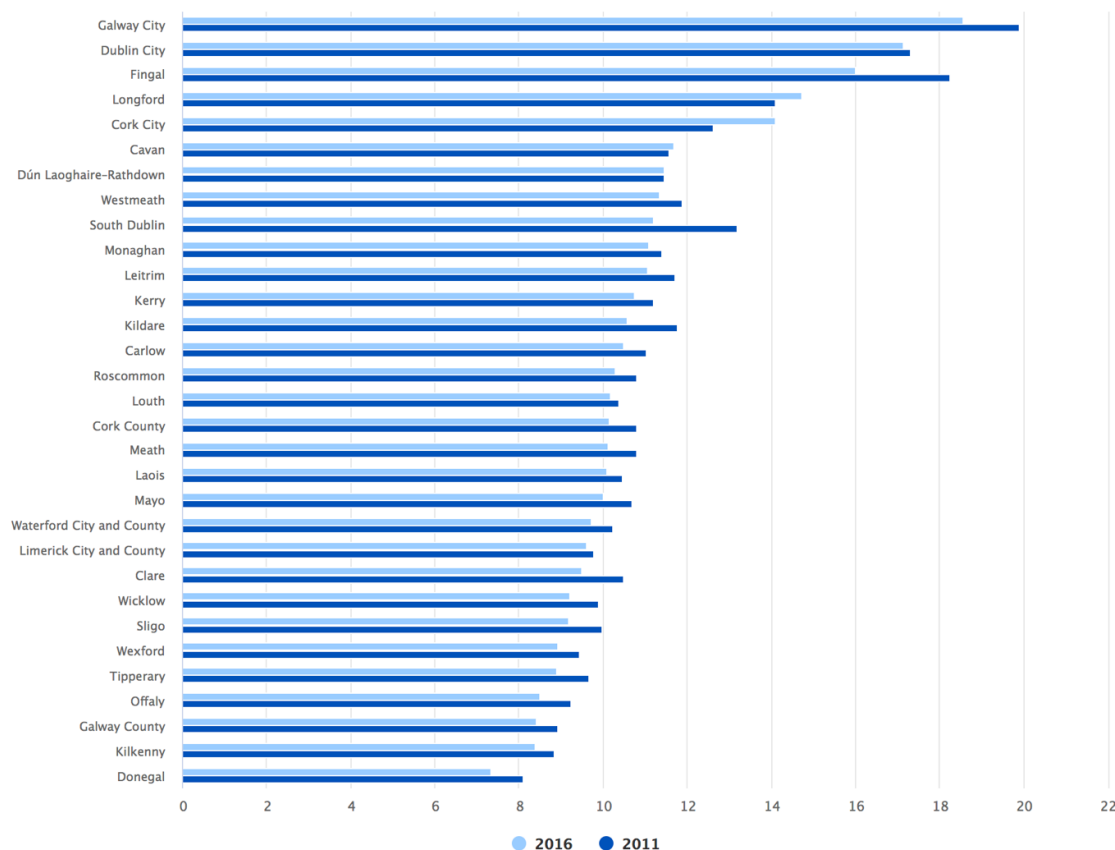


Source: CSO Ireland

Source: CSO (2018).

CSO figures also offer an account of the percentage of non-Irish national that per county with a comparative perspective between 2011 and 2016. It appears that Galway city was in 2016 Ireland's most diverse county in terms of national origins with close to 20% of foreign nationals, followed closely by Dublin city.

Figure 1.1 Percentage of non-Irish nationals by county, 2011-2016



Source: CSO (2017a).

Finally, applicants for international protection (asylum) form a relatively small but important subset of non-Irish nationals who come to Ireland each year. The countries of origin of persons seeking international protection vary with unfolding international conditions and crises. In 1994 there were a few hundred applications for international protection. This number increased to a high of almost 12,000 applicants in 2002. Partly due to the establishment of Ireland's stringent Direct Provision system in 2000 (discussed in parts II and III), the numbers of applicants declined steadily from 2002 onward (Arnold et al. 2018, p. 12). Since 2014, the numbers of persons seeking international protection began to rise but remain low relative to 2002 and to other countries (ibid.) Most recent data for 2018 indicate there were 3,673 applicants for international protection with the top five countries of origin being: Albania, Georgia, Syria, Zimbabwe and Nigeria. Of these, men accounted for just over half while women and children each made up just under one quarter of applicants. The overall rejection rate in 2018 was about 70% although most of the successful applicants came from Syria with much higher rejection rates for applicants from the other four top countries (See Appendix D for more information). In addition to regular protection applicants, under the Irish Refugee Protection Programme established in 2015, Ireland committed to accepting 4,000 persons into the country under relocation and resettlement schemes (DJE 2019b).

The remainder of this report is organised in three principal parts. Part II reviews recent academic literature on migration in Ireland from a gender perspective. Part III provides a survey of relevant law and policy regimes relating to migrant and ethnic minority women, gender and GBV in Ireland. Part IV explores how timely issues relating to migration and migrants are covered in national news media as an introduction to dominant narratives and frames in operation in Irish society and the public sphere.

Part II. Researching migration in Ireland: A critical literature review from the perspective of gender

Ireland is a country of recent immigration, and most migration studies in the Irish context research the Irish diaspora, constituted by over 150 years of net emigration up to the mid-1990s (Honohan 2010). Since the late 1990s an increasing number of migrants settled in Ireland and the Irish Census included questions about nationality for the first time in 2002 (Okigbo 2014). The following sections aim at providing a thematic overview of the migration research produced in the Irish context over the past two decades.

1. Migrant groups literature

Polish migration

The 2004 EU enlargement led to a significant migration of Poles to Ireland, one of the few countries with the UK and Sweden that did not implement transitional labour market restrictions. In 2006, when immigration from Poland to Ireland was at its highest, Poles represented 30% of the PPS (Personal Public Service) numbers issued to foreigners.

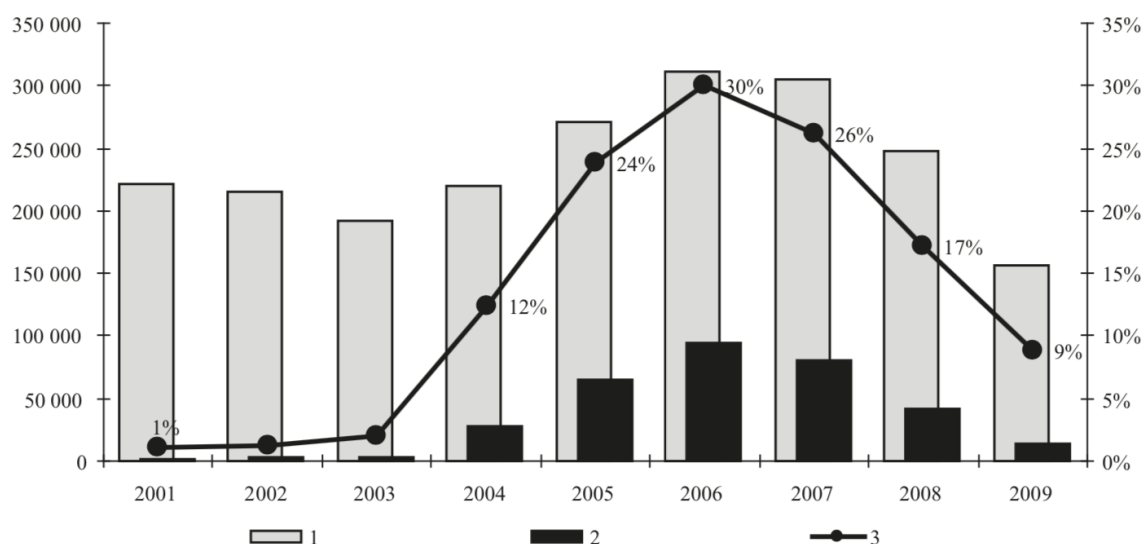


Fig. 3. PPS numbers issued in Ireland between 2001 and 2009

Explanation: 1 – total; 2 – Poland; 3 – in%

Source: Szmytkowska (2011), p. 144.

Most characteristic of research into Polish migration to Ireland is the emphasis on the articulation of labour market and non-economic motives for migration (Krings et al. 2013). Torben Krings and colleagues note, on the basis of a longitudinal study, that if labour market opportunities certainly mattered, the desire to learn English or the adventure of living abroad also represented major motives among the predominantly young Polish émigrés (ibid.). In contrast to many empirical studies of labour migration that conclude to a phenomenon of deskilling (see for instance Gilmartin and Migge 2015), authors of this study observe that the majority of their research participants found employment in skilled and highly skilled positions that correspond to their qualifications. The book that came out of this study equally foregrounds

that as a mobile population not restricted by a visa regime and easily engaging in circular mobility, Poles were numerous among those to leave Ireland after the economic downturn started in 2008 (Jaskułowski 2015).

Several publications were concerned with cultural dimensions of the experiences of Poles in Ireland. In the light of the high diversity of Polish migrants' profiles, Kinga Olszewska questions 'whether referring to Polish migrants as a unified cultural or social community is still legitimate' (2011, p. 28) formulating her critique through an analysis of the different attitudes of Poles in Ireland vis-à-vis narratives of Polishness and notions of the Polish nation. Alana Smith touches on issues of belonging from a different perspective, by examining Polish migrants' understandings of home in relation to their housing situation in Dublin. The author emphasizes the key importance of housing in the production of self-identification and thus of integration into Irish society (Smith 2013).

'African' migration

While several publications refer to 'African migrations' to Ireland and merge different national origins across the continent, another series of published work focuses on the largest African community on the island, Nigerians. Theophilus Ejorh (2012) identifies among his respondents – migrants from across the African continent – the following motives for migration to Ireland: 'political insecurity'; 'social concerns' defined as insecurity related to the weaknesses of educational and health systems in the country of origin; what he names 'cultural factors', meaning Female Genital Mutilation (FGM) and forced marriage; and, finally, 'economic compulsion' or the search for better economic opportunities, notably during the years of the 'Celtic Tiger' growth. The author's main argument is to challenge scholarship that stresses coercion and violence as the main motives of emigration (as mentioned for instance in Okigbo 2014) and to foreground migrants' agency and the multiple social, political, economic and cultural factors playing out in their decisions. Ejorh emphasizes the importance of gender-related motives on the basis of research with members of AkiDWA, an NGO working with migrant women. Yet the generalizations operating in his depictions can be misleading; e.g.: 'Female circumcision is endemic and deeply embedded in the social fabric of traditional African society' (Ejorh 2012, p. 586). Such portrayals rely on the artificially homogenising category of 'African migrants', too general to capture meaningfully the experiences of specific migrant groups. As noted by Dianne Shandy (2008, p. 810): 'The category "African women" in Ireland is extraordinarily diverse in terms of country of origin, and linguistic, cultural, and economic background. This may appear to be stating the obvious, but it is an observation that frequently is ignored in the context of Irish immigration debates.'

The recent quantitative research by Philip O'Connell (2019b) into Africans' disadvantage in the Irish labour market argues that being denied the right to work as an asylum seeker bears long-term implications for one's employment prospects. Controlling for individual characteristics, O'Connell notes that the African population in Ireland is relatively well-educated and is concentrated in the working-age group. The Direct Provision (DP) system used in Ireland to accommodate applicants for international protection who do not have independent means and the attached restrictions on employment becomes in this context a key explanatory factor:

The Asylum:Population Ratio is designed to capture the risk of exposure to the asylum system in Ireland, and, thus, of having been excluded from the labour market for an extended period of time. I found that its inclusion in the employment and unemployment models had the most pronounced effects among Africans and Asians, who together accounted for over 90% of asylum seekers in the DP system at the time of the 2011 Census.

These results are consistent with the idea that DP has lasting negative effects on the employment prospects of asylum seekers in Ireland, and that this is reflected in the poor labour market outcomes observed particularly among Africans, and, to a lesser extent, among Asians. (O'Connell 2019b, p. 291)

In the light of his findings O'Connell welcomes the 2018 Irish government's announcement that asylum seekers will be allowed to work after a period of nine months following the submission of their application if a 'first instance' decision has not yet been made by the authorities.

Research by Julius Kómoláfé (2002) into the trajectories of Nigerians living in Dublin reveals similar motives for migration as did the study by Ejorh (2012), as well as considering Nigerian students' migration to Ireland, a form of migration only possible for Nigerians of high social status and with access to significant financial resources. Kómoláfé's research uncovers that a significant share of Nigerian migrants to Ireland have first resided in another European country and their move to Ireland thus constitutes onward migration. The author proposes a detailed typology of Nigerian migrants in Ireland. First, 'Visa Extension-Seekers' are those unable to extend their visas in the UK and who might try their luck in Ireland, yet as a result some remain undocumented; Second are 'Legal Resident Status-Seekers' – Kómoláfé groups under this category those who intend to settle in Ireland and acquire residency as parents of children born in Ireland; Third, "'Celtic Tiger' Migrants' are Nigerians residing in other European countries that have moved to Ireland during the country's rapid economic growth; Fourth, 'Refugee Status-Seekers' are those having submitted an asylum claim; and, finally, 'Employment-Seeking Migrants' concern professionals having moved directly from Nigeria to Ireland, mostly medical doctors. Kómoláfé's insights do not offer a gendered perspective, except for noting that Nigerian women are more numerous than men in Ireland at the turn of the century, and that women's trajectories reveal independent patterns of migration. In addition to all the above-mentioned motives, the role of Irish missionaries in triggering migration to Ireland is often noted (Ejorh 2012; White 2009).

In contrast to the more descriptive studies of Ejorh and Kómoláfé, Elisa Joy White (2009) offers a critical reading of the Irish state's deportation policies towards Nigerian migrants, which, she argues, 'facilitate the proliferation of national racisms and human rights violations through the legitimating mechanisms of international law' (p. 68). At the centre of her analysis is the readmission agreement signed between Ireland and Nigeria in 2001 accelerating deportations. White suggests that the agreement feeds into the broader criminalization of Nigerian migrants, the largest group of asylum seekers at the time White was writing, and that deportations 'suggest a removal of "bad" Nigerians who are deemed no longer worthy of charity' (p. 69).

Research by Emmanuel Okigbo (2014) sheds light on an under-research dimension of African migrants' experiences in Ireland: their political engagement. Based on a study that included 350 respondents, i.e. 1% of the total number of foreign residents of African origin in Ireland, Okigbo grapples with the puzzle of the significant emergence of first-generation Africans as local elected representatives against the background of their overall limited political involvement. His findings indicate:

While more than two-thirds of our respondents were not registered voters, despite being eligible for registration, one-fifth did not know they were eligible to register. Again three-quarters of African immigrants in Ireland do not vote in local elections. Their record is dismal when compared with a national voting rate of 51% in 1999, 59% in 2004 and 57.7% in 2009 local elections. (Okigbo 2014, p. 159)

And yet, at the same time, the author observes: Forty-five immigrant candidates emerged in 2009, and almost half of them (42%) were first-generation Africans. This is very significant because Africans in Ireland constitute just about 10% of the total immigrant population and 1% of the total Irish population in 2006. (ibid.) Okigbo's study foregrounds that overall the Irish political system allows for migrants' participation at the local level to a significant extent. (The right to vote in local election was passed in 1963 and the right to be elected in 1974.) Yet, the main political parties represent a barrier to access the wider institutional political landscape: 86% of the respondents believed that 'Irish political parties do not encourage them to become active in political activities' (ibid., p. 160).

Brazilian migration

The recent migration of Brazilians to Ireland took place in a particularly short period of time. According to the 2016 census, they were among the 10 biggest groups of foreign nationals with 13,640 Brazilians living in Ireland, while they did not appear in the top ten neither in 2002, nor in 2006, nor in 2011. Publications by Mary Cawley and Garret Maher provide some insights into this recent migration pattern. Brazilian migration to Ireland is sustained by manual and professional employment as well as student migration, with Ireland offering the possibility of combining higher educational training with acquiring English language proficiency. Mary Cawley documented the different phases of Brazilian migration to Ireland, situating its beginnings in the late 1990s: 'Brazilian skilled workers were recruited initially on one-year renewable permits, in the late 1990s, to meet vacancies in abattoirs and meat processing plants, when the Irish economy was growing rapidly' (2018, p. 38).

Table 1 – Population born in Brazil, usually resident in Ireland and present on census night: gender and % distribution by county of residence 2002, 2011, 2016.

	2002	2011	2016
State	1232	8704	13640
Male	63.7	50.6	46.7
Female	36.3	49.4	53.3
Co Dublin	24.0	51.5	65.3
Co Kildare	14.8	4.4	2.4
Co Meath	7.0	3.0	2.5
Co Cork	7.8	4.8	5.1
Co Galway	9.1	11.4	8.5
Co Roscommon	12.4	5.0	2.6
% total	75.1	80.1	86.4

Sources: CENSUS 2002, Table B0442; CENSUS2016, Table E7002

Source: Cawley (2018), p. 40.

Attracted by wage differentials and the labour needs of the Irish economy during the economic Irish boom of the 1990s, Brazilian workers migrated to western cities and town in Ireland on the basis of a few initial personal contacts and labour migration that facilitated family migration and gave rise to flows of remittances (Maher 2010). The 'Celtic Tiger' years also permitted the migration of highly skilled Brazilian professionals in sectors such as engineering and ICTs, who were 'recruited on preferential critical skills employment permits' (Cawley 2018, p. 38). The 2008 economic crisis and the closure of meat plants created economic and administrative precarity for some of the Brazilian migrants that initially came to work in this industry. While some were able to join the construction industry (Cawley 2018), many remained undocumented and took up precarious day-jobs (Maher and Cawley 2016). Among those facing precarious

situations, some decided to return to Brazil through government-sponsored repatriation programmes, given that after 2008 the renewal of work permits decreased and some were facing deportation orders (Maher and Cawley 2016). The 2004 EU enlargement and migration from Poland, Lithuania and Latvia, whose workers could enter the Irish labour market without administrative barriers, reduced the labour needs of the Irish economy overall. Authors of this research thus emphasize the ‘vulnerability of short-term migrants to labour policies and the economy in host countries’ (Maher and Cawley 2016, p. 23). Relations between Brazil and Ireland have nonetheless thickened over these years and student migration remains important. Ireland participates in the Brazilian government programme Science Without Borders and took part in 2013 in eight memoranda of understanding between universities and institutes of technology (Cawley 2018). The creation in 2017 of the Research Brazil Ireland (RBI) organisation further testifies to the interest of Irish higher education institution in attracting Brazilian students (ibid.).

The figure below elaborated by Maher and Cowley presents in a clear manner the different phases of Brazilian migration to Ireland over the past decades.

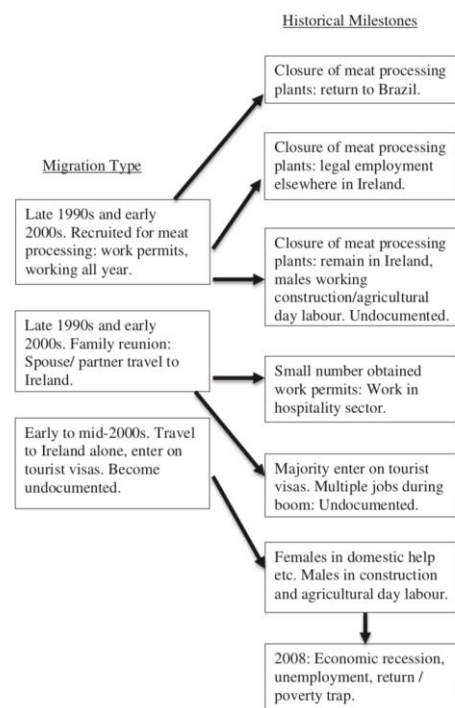


Figure 2. Changing composition and status of Brazilian migrants.

Source: Maher and Cawley (2016), p. 28.

2. Migration, citizenship, racism: Frames and experiences

In the context of recent immigration, Irish integration policies tend to be described by their limited scope and development. Gerry Boucher analyses Irish policies in the field of integration through the lens of their absence, describing ‘a laissez-faire integration strategy that largely devolved integration processes to individuals, families, local communities, relevant public bodies, NGOs, and businesses that employed migrants’ (Boucher 2010). This is not to say however that migration is absent from nationwide public and political debate, as analyses of the 2004 citizenship debate illustrate. Gavan Titley relates these two central tenets of migrants’ position within Irish society: ‘Ireland’s short-lived integration regime [1998-2008] deployed culture and interculturalism as resources for the self-governing integration of all foreign

nationals, while developing a system of civic stratification designed to limit claims to citizenship and social and economic rights' (2012, p. 817).

Critiques of Irish integration policies and case studies of migrants' experiences

A significant body of migration literature critically assesses Irish integration frameworks and actual conditions for integration on the ground. In his analysis of media policy in relation to migration and migrants' media practices, Gavan Titley argues that 'Ireland's post-multicultural certainties were entirely discursive. 'Multiculturalism', for instance, was merely re-branded as 'interculturalism', a shift that extends a multiculturalist ontology of 'already there' cultures' (Titley 2012, p. 822). His research illustrates how questions of belonging are mediated by the public culture produced by media outlets and media-related practices. He identifies a 'disjuncture between cultural integration and the possibilities for citizenship and residency (2012, p. 831) especially for asylum seekers who in spite of their cultural integration stand little chance for civic inclusion and, as in the case of Nigerians, are exposed to overt forms of racism. 'Interculturalism', as a discursive practice, also trickled down to the city-level as demonstrated by comparative research into the integration policies of the cities of Dublin and Vienna conducted by Leila Hadj-Abdou. Hadj-Abdou demonstrates that the Dublin City Council policy was explicitly based in the 2000s on the concept of interculturalism. She argues that 'ideas about immigrant integration at the urban level are, to a great extent, driven by global economic competition between cities' (ibid., p.1877) and thus that this framing was in large part motivated by economic goals. Her research further demonstrates the European-wide convergence of economically motivated integration policies owing to the role of think-tanks and international experts.

The role of the Catholic Church within Irish integration policies needs equally to be foregrounded. Regarding the Church institution itself, the Irish Catholic Church receives chaplains from other countries catering to various migrant communities. Breda Gray and Ria O'Sullivan Lago (2011) interviewed chaplains of Polish, Latvian, Nigerian and Indian origin. Their research documents how these chaplains find themselves at the crossroads of transnational and national dynamics of the Roman Catholic Church. While the presence of foreign chaplains reflects some migration patterns to Ireland of the 1990s and 2000s, their status within the Church is lived as temporary. The interviewed chaplains refer to themselves as 'guests' or 'visitors', responding ultimately to the Catholic Church of their country of origin; for instance the head of the Polish Chaplaincy in Ireland described himself as representing the Church of Poland. Importantly, this research foregrounds that though migrant chaplains contribute to migrants' integration into local communities their primary goal remains preventing the loss of Church members rather than integration per se. In another piece Gray (2016) provides further insights into how the Catholic Church in Ireland gave rise to a myriad of organizations supporting migrants' rights and welfare. She traces how the Church's involvement in supporting Irish emigrants offered a sound base for pastoral and social support directed at migrants in Ireland : 'As a sending church therefore, the Irish Catholic Church laid down an ethnically identified global network of people, migrant pastoral practices and civil society organizations that could be mobilized in new ways as migration patterns reversed' (Gray 2016, pp. 65-66). Gray further argues that the Church's networks explain its central role in the development of support services for migrants' integration. The Catholic Church was both able to mobilize volunteers, have access to buildings for meetings and rely on a long-standing knowledge of local institutions to achieve political influence. Gray meticulously documents programmes and initiatives created by the Irish Catholic Church, specific religious congregations or individual clergy throughout the 1990s and 2000s providing an overview of the diversity of organizations arising from the Church's activities. Her research demonstrates that even though many of these organizations

have become secular, some connections to the Catholic Church remain through the continuous reliance on funding from congregations and the participation of religious members in management boards. The following paragraphs present specific case-studies in relation to migrants' integration into Irish society.

On the basis of an empirical study of the experiences of 39 EU migrants from across the continent (Finland, France, Germany, Italy, Netherlands, Poland, Slovakia, Slovenia, Spain, UK), Mary Gilmartin and Bettina Migge propose a typology of integration pathways into Irish society. Their study foregrounds the importance of what they call cultural and social motives for EU migrants as most frequent motives included 'learning and improving knowledge of English, short-term study, or the desire for new experiences or adventure' and social reasons 'primarily linked to romantic or family relationships' (Gilmartin and Migge 2015, p. 288). In their analysis of integration patterns they distinguished cultural, social and economic pathways and came to the conclusion that 'while cultural reasons dominated in people's decisions to move to Ireland, it was economic and social pathways that came to the fore over time' (ibid., p. 297).

A special issue on migration published in the Irish Studies Review in 2016 revisits analyses of migration to Ireland in light of the economic recession of the late 2000s. All articles contribute to unpacking the peculiarities of the Irish case, a country of prolonged emigration, rapid immigration, and again a temporary reversal of migration trends as a result of the economic downturn. Two contributions focus on discursive framings in the Irish context. Fanning (2016) examines how these societal changes affected notions of Irishness and constructions of national identity while Lentin (2016) argues that the neglecting of asylum seekers, their isolation and non-representation led to 'the erasure of the Direct Provision system from Ireland's collective consciousness' (ibid., p. 21). Four contributions further this analytical endeavour by exploring 'representations of migrants, immigrants as well as emigrants, in contemporary Irish culture' with a focus on contemporary Irish literature and theatre (Villar-Argáiz and King 2016, p.4).

The citizenship debate in the light of contemporary migrations to Ireland

The pure *ius soli* ('birthright') basis of the Irish citizenship regime prior to the 2004 referendum harked back to the British colonisation and the Irish claim to sovereignty over the island. From its previous statutory underpinnings to full constitutionalisation in 1998 in the context of the Good Friday Agreement, to its restriction in 2004, the *ius soli* legislation has crystallized many of the issues arising around migration. On the basis of the long prevalence of *ius soli*, Iseult Honohan (2010) argues that Ireland represented, until 2004, a case of civic republican conception of the nation rather than a case of liberal nationality that she sees as taking precedence in the European context:

Irish citizenship laws in principle embodied quite an open conception of membership, and the combination of *ius soli*, relatively limited *ius sanguinis* ['right of blood'], naturalisation available mainly on grounds of a medium past and future residence, and acceptance of dual nationality, came broadly to embody a civic republican conception of citizens as those subject to a common authority, rather than those sharing a common ethnicity, values or public culture. (ibid., p. 816)

The 2004 Referendum and the subsequent amendment of the Irish citizenship laws rendered *ius soli* conditional on the legal residence of the parents for three of the four years prior to the birth. Consistent with the Irish aspiration to the unity of the island, access to citizenship at birth remains granted to children born to British parents or residents of either the Republic or

Northern island. The following amendment to the Irish constitution was carried by the 2004 referendum:

Notwithstanding any other provision of this Constitution, a person born in the island of Ireland, which includes its islands and seas, who does not have, at the time of the birth of that person, at least one parent who is an Irish citizen or entitled to be an Irish citizen is not entitled to Irish citizenship or nationality, unless provided for by law. (Constitution of Ireland, Article 9, para. 2.1)

Honohan sees there a major turning point: 'Not just a technical adjustment, this change effectively tilted the conception of citizenship embodied in the constitution towards *ius sanguinis*' (ibid., p. 821). In their critical geographies of citizenship and belonging in Ireland, Allen White and Mary Gilmartin (2008) offer a gendered analysis of how the nation, the state, the family and the bodies of pregnant women matter in the production of space and identity. They argue:

The existence of a reservoir of contradictory claims, anxieties and ambiguities surrounding the politics of abortion rights, mobility rights and the pregnant body in Ireland helped create the conditions for various claims about the Citizenship Referendum to make sense to the Irish electorate. (Ibid., p. 393)

Their analysis unpacks discourses around 'citizenship tourism' (see also Garner 2007) claiming that women travel to Ireland to give birth to Irish children: 'mobile women and mobile pregnant women are, at various times, constructed as a threat to the integrity and sovereignty of Ireland'. Women's bodies have thus played a central role in the debates leading up to the referendum: 'As the number of asylum applications increased, the figure of the 'non-national' pregnant woman was used to signify threats to Ireland, its sovereignty and its integrity, and used as a justification for changing the definition of citizenship' (ibid., p. 397).

A consequence of this conditional *ius soli* is to have separated 'Irish children into two groups for administrative purposes, the "IBC" [Irish Born Children] classification made the most salient point about one group of Irish children the fact that their parents were not Irish nationals, hence implicitly emphasizing the dominance of bloodline over residency' (Garner 2007, p. 122). Steve Garner concludes in this matter that 'De facto, not all "Irish children" had the same rights: access to citizenship was henceforth contingent on the parents' nationality. Applications for residence through "IBCs" would now have to be dealt with on a case-by-case basis' (Garner 2007, p. 124).

A few years after this restriction to *ius soli* came into effect, research by Siobhán Ní Chatháin (2011) illuminated some of its implications through a study with 18 migrant mothers of Irish citizens. If 'the acquisition of this status [Irish Born Child Leave to Remain] had opened the door to social citizenship with rights to employment, greater access to training and education, and eligibility for accessing social welfare supports' (ibid., p. 34), conditions attached to their status were hard to meet: 'By virtue of the nature of the Irish Born Child Leave to Remain programme, all those subject to it are parents. Due to their parenting roles and lack of kin support networks, combined with difficulties in accessing the labour market, most of the participants in this study found its conditions very hard to meet' (ibid., p. 36). The author thus concludes: 'Ironically, for former asylum applicants who subsequently acquired IBCLTR, this obligation to be independent comes after an often lengthy period of obligatory dependence on the state' (ibid.).

Equally teasing out the gendered facet of the citizenship debate, Dianne Shandy's research (2008) foregrounds the experiences of African women while pregnant in Ireland in the aftermath of the legislative change in 2005. She emphasizes the significant impact of a small number of pregnant women and their children 'on the larger body politic' (ibid., p. 804) and argues 'that while the African mothers were publicly demonized and subjected to verbal and physical assaults, it was, ultimately, these women's African-Irish children who were feared' (ibid., p. 806). Her research demonstrated indeed the gendered racialisation that pregnant African women were facing with over half of the 51 research participants having reported incidents of overt racism. The ethnographic evidence she gathered brings her to formulate the following conclusions:

Ultimately, therefore, I suggest that the targeting of African women for maltreatment described earlier signalled deep anxieties over the future of their country. In this way these African women, but particularly their children were seen as liminally "polluting" entities. (ibid., p. 823)

Exploring further the theme of racism, the following section summarises publications on the politics of anti-racism in Ireland as well as research into various manifestations of racism.

Racism and anti-racism in Ireland: Academic analyses

Studies of racism towards migrants in the Irish context connect to the history of racialisation and racism suffered by Irish Travellers. Mairtin Mac An Ghaill argues in this regard that 'there is a long history of Irish racisms' (2002, p. 103). Bryan Fanning and Lucy Michael (2018) trace, in a comparative fashion between the two Irelands, North and South, the different advocacy initiatives and policies that shape the landscape of racism and anti-racism on the island. Though they noted the adoption by the Republic of Ireland of the 2000 Equal Status Act, the introduction of an anti-racism awareness programme *Know Racism* in 2001 and the elaboration of the *National Action Plan against Racism 2005-2008* (NPAR). However, they observe 'the reluctance of the Irish state to acknowledge racism, even as it promoted "interculturalism"' since in 2008 it dismantled the National Consultative Committee on Racism and Interculturalism (NCCRI), a body that the authors describe as 'the key institutional mechanisms for addressing racism' (ibid., p. 2660). Their conclusion is worth citing at length:

On both sides of the border, there has been little political push to take racism seriously. An imbalance of power prevails in which black, ethnic minority and immigrant communities are politically marginalized and in both jurisdictions are dependent upon the goodwill of a civil society that is influenced by transnational anti-racist norms and which speaks on behalf of rather than represents those experiencing racism. Immigrant-led organizations are themselves marginal within civil society, mostly unfunded by the state and have not been co-opted into institutional consultation processes to anything like the extent as has occurred in Northern Ireland. However, the focus on hate crime in Northern Ireland has been primarily a legacy of long-standing sectarian conflicts rather than motivated by a desire to address racism. By contrast, in the Republic, the absence of hate crime legislation and institutional efforts to address it may be interpreted as a reflection of the ongoing denial of the state of the experience of ethnic minorities of racism and discrimination. (ibid., p. 2668-2669)

Echoing these insights, Steve Garner notes that, in contrast to the assumption that racist opinions thrive in times of economic crisis, in Ireland 'all the attitudinal surveys in the 1990s

indicate ever-increasing levels of antipathy, and a targeting of Roma, Blacks and Muslims (as well as a strain of underlying antisemitism and anti-Traveller racism)' (Garner 2007, p. 119).

An important academic contribution to the study of racism in the Irish context is the analysis of the 'racial order', through the lens of critical race theory, proposed by Eibun Joseph (2018). Drawing on a mixed-methods study Joseph argues that the Irish labour market follows a race-based stratification. Joseph demonstrates that European migrants are better off than African migrants when comparing same educational levels. Within the former group Spanish migrants appear to fare better than Polish migrants. The author argues:

The idea that migration affects socio-economic outcomes and labour market experiences is widely accepted. What is problematic, however, is the disparity in the way it affects different migrant groups. Concerning the labour market differential among migrants from different nationalities who engaged with EP [Employment Programme] between 2009 and 2011, after controlling for all measurable variables, race appeared to be the only macro variable that accounted for any significant difference in outcome in their quest to attain paid employment. (ibid., p. 56)

His research reveals a stratification with Western Europeans at the top of the hierarchy (after Irish nationals), followed by Eastern Europeans and Africans at the bottom of this hierarchy in terms of labour market outcomes. His results equally indicate that gender certainly intersect with racialisation, without however overturning these hierarchies: Therefore, while gender affected the intra-group layering of workers as evidenced across all groups where the males outperformed the females (see Figure 3), gender did not seem to buffer the impact of differences in race as all the males did not perform better than all the females across all groups. In other words, all the African and European males are not stratified above all the African and European females (ibid., pp. 59-60).

In the same vein, Steven Loyal's research reveals entrenched patterns of racial discrimination within Irish society, in contrast to the popular saying depicting Ireland as a land of 'a hundred thousand welcome': 'Non-Irish nationals are three times more likely to experience discrimination while looking for work, while it is estimated that black people are seven times more likely. Moreover, once in the workplace, non-Irish nationals are twice as likely to experience discrimination than Irish nationals' (Loyal 2011, p. 183). His results are in line with Siobhán Ní Chatháin's qualitative study conducted with migrant women who reported 'numerous instances of racism in the context of service provision (educational, health, social welfare), employment, and in public contexts in their locality such as on the street, in the post office or on the bus' (2011, pp. 30-31). Research into the experiences of non-EU migrant nurses equally reveals dramatically high instances of racist incidents with 55% of the 337 respondents in a study by Humphries, Brugha and McGee (2012) reporting experiences of bullying or discrimination in their professional environment.

And yet, a striking characteristic of the Irish political landscape is the absence of a significant far-right party (Garner 2007). A peculiarity of Irish politics determined by the relation to British colonization and the struggle for independence, the little significance of political formations such as the Immigration Control Platform (ICP) should not obscure the workings of racist discourses, as argued by Garner: 'Already marinated in a backs-to-the-wall, blood-and-soil narrative in which invaders are repeatedly repelled, the intensely racialized Irish nationalist meta-narrative lends itself easily to the racist *dérive* constituted in the current administration's border-adjusting manoeuvres' (ibid., p. 127).

The following section looks at migrants' access to social services through the paradigmatic example of healthcare provision.

Migrants' access to social services: The healthcare sector example

A couple of studies have looked into migrants' access to healthcare services in the Irish context. A combination of factors feed into less favourable conditions for migrants, from financial costs (often related to lesser entitlements) to lack of information and language barriers (Ledoux et al. 2018). Migge and Gilmartin (2011) emphasise, in particular, difficulties to access the right information. Stan (2015), in her study with Romanian migrants, highlights that 42% of non-Irish residents had neither a public medical card nor private insurance in 2010. Clearly, such a low level of entitlements bears important implications in terms of actual use of healthcare services:

In 2010, non-Irish nationals were almost twice as many as Irish nationals to abstain from GP consultations (40% as compared to 24%) or from any health consultation (22% of as compared to 11%) during the previous year. (CSO 2011, quoted in Stan 2015, p. 348)

As Ledoux and colleagues note (Ledoux et al. 2018), while migrants tend to be healthier than the general population upon arrival due to the selection that the migration process operates, migrants tend to have a poorer health status (than the general population) several years later. The authors of the study also warn that assessing migrants' access to healthcare requires, beyond a focus on legislations and policies, an examination of how the latter are implemented, not least in the context of economic austerity and the consequent cuts in the public healthcare sector, as well as growing anti-immigrant sentiments. Against this background, services that respond to women's specific needs in terms of reproductive health are particularly at risk (Bakhru 2008).

Faced with difficulties to access the Irish healthcare system, several publications foreground that migrants tend to access healthcare services in their countries of origin (Migge and Gilmartin 2011; Stan 2015). Migge and Gilmartin (2011, p. 1146) highlight for instance: 'Our interviews with recently arrived migrants in Ireland confirm that migrants' return to their country of origin for medical treatment is often motivated by issues of affordability.' In a similar vein, Stan's research concludes that 'Romanian migrants compensate their low engagement with the Irish healthcare system by a relatively more vigorous use of the Romanian healthcare system' (Stan 2015, p. 349).

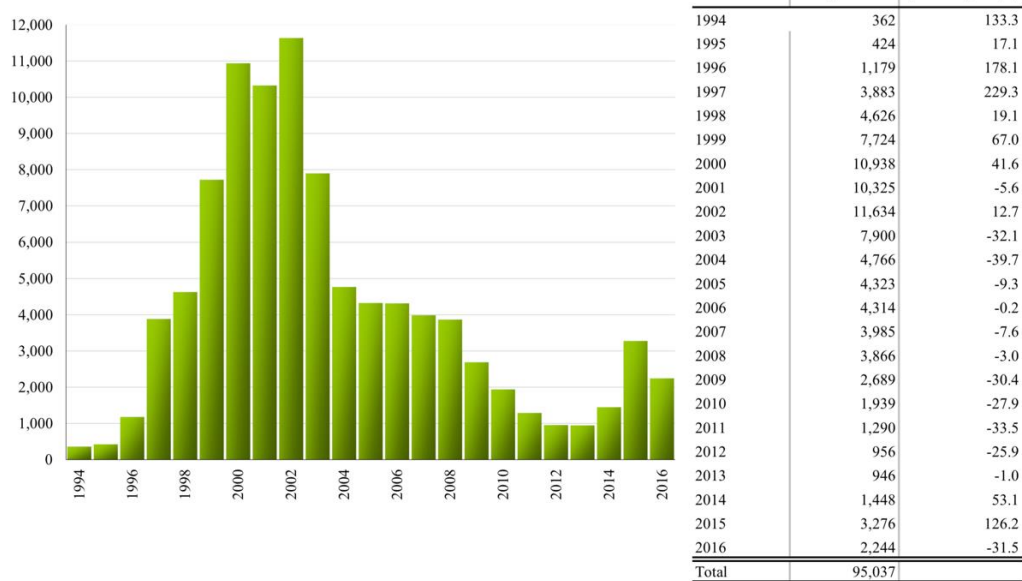
Often overlooked through an exclusive focus on migrants' access to healthcare, it is worth mentioning here the significant participation of migrant workers across the healthcare sector. Research by Humphries, Brugha and McGee (2012) foregrounded for instance that in the first decade of the new millennium nursing personnel became increasingly reliant on the recruitment of overseas nurses: 'Between 2000 and 2010, 35% of new recruits into the health system were non-EU migrant nurses. Ireland is more heavily reliant upon international nurse recruitment than the UK, New Zealand or Australia' (2012, p. 44). This trend was however reversed in the beginning of the following decade with Irish nurses emigrating to the UK and Australia (ibid.).

3. International protection, the Direct Provision system and gender

Research and analyses of the Direct Provision system

The Irish Direct Provision (DP) system was launched in 2000 in the context of an increasing number of persons seeking international protection (asylum) in Ireland as illustrated by figures below of the now closed-down Office of the Refugee Applications Commissioner (ORAC) (since replaced by the International Protection Office). While figures have dropped since 2000, the DP system remains in place.

Table 1. Number of applications per year from 1994 to 2016



Source: ORAC (2016), p. 14.

Direct Provision serves to provide accommodation and food to asylum seekers while their cases are being processed by the administration (further details on evolving DP policy are provided in part III of this report). Following the creation of DP, asylum seekers were not able to access the mainstream welfare system anymore (Breen 2008; Loyal and Quilley 2016). The scheme is managed by the Refugee Integration Agency under the supervision of the Department of Justice and Equality (ibid.). There are dozens of centres comprising state-owned as well as private facilities (guesthouses, hotels, nursing homes, temporary structures) (Moran et al. 2019). The system involves a policy of forced dispersal across the island (Loyal and Quilley 2016). Ronit Lentin proposed the following analysis of the emergence of the DP system: ‘The Direct Provision system is key to understanding the Irish state’s response to increased immigration since the early 1990s, differentiating between “deserving” labour migrants needed to fill labour market vacancies created by Ireland’s booming “Tiger” economy, and “undeserving” asylum seekers’ (Lentin 2016, p. 23).

While asylum seekers are only meant to stay temporarily within DP centres, in practice many stay several years, notwithstanding recent reforms aimed at reducing the time spent in DP by applicants. Research into the DP system has documented the many negative implications of the scheme on people’s lives. The DP system, while providing for basic needs, is designed to limit asylum seekers’ integration into Irish society and facilitate potential deportation as people in the scheme, until 2018, had no right to work and limited possibilities to pursue education. Dermot and colleagues (Dermot et al. 2008), in a study with 162 asylum seekers, documented that almost half (46%) suffered from severe distress with women being particularly at risk. Importantly, the authors of this study found that only those having secured a legal status showed a decline in distress levels over time. Long periods of uncertainty as to status determination constituted a major source of stress. In 2016, according to the Irish Refugee Council, a third of the persons in DP were in the system for over three years and the average length of stay was 38 months (Loyal and Quilley 2016). Moran and colleagues further demonstrated that DP negatively affects children’s emotional and social development (Moran et al. 2019). What is more, the parents they met shared feelings of abandonment, lack of agency in decision-making, uncertainty and disempowerment.

While waiting for an answer to their asylum application, persons in the DP centres face difficult material conditions. Most live in cramped facilities (Moran et al. 2019) and have no control over the food they consume. In her legal examination into the policy of Direct Provision Claire Breen (2008) argues that by failing to provide an adequate standard of housing the policy produces other human rights violations: 'such as the right to be treated with dignity, the right to equality and non-discrimination, the right to respect for private and family life, to adequate food, and to the highest attainable standard of physical and mental health' (p. 636). The dire conditions of DP, exacerbated by privatization and spending cuts, are, some critical researchers argue, part of the deterrence apparatus of the Irish asylum regime (Loyal and Quilley 2016).

Ronit Lentin famously read the Irish DP scheme as the 'return of the repressed' due to the Irish history of large-scale confinement of people in workhouses, Magdalene laundries and industrial schools (Lentin 2016). She argues:

just as the Irish state and society had managed to ignore the workhouses, mental health asylums, 'mother and baby homes', Magdalene laundries and industrial schools, they also 'manage not to know' about the plight of asylum seekers, precisely because the Direct Provision system isolates asylum seekers, makes them dependent and makes it difficult for them to organise on a national level. 'Managing not to know', or disavowing, leads to the erasure of the Direct Provision system from the Irish collective consciousness. (Lentin 2016, p. 23)

Another critical take on the DP system reveals the far-reaching consequences of the uncertainty that characterises asylum seekers' lives. Zoë O'Reilly argues that life in DP is ontologically liminal, whereby 'a chronic sense of fear, insecurity, invisibility and a highly controlled existence are lived and internalized' (O'Reilly 2018, p. 823). She further explicates how this notion applies to DP:

Through the project, it emerged that many felt they had lost their individuality, their status as independent adults, and become merely a number in a system. Alongside the temporal and spatial aspects of liminality, I therefore add a further category: 'ontological liminality', the internalized sense of being a liminal being, where an 'in between' existence becomes part of one's identity and everyday lived experience. I use the term 'ontological liminality' to express the ways in which this liminal existence, and the sense of being a 'liminal persona', may be internalized. (O'Reilly 2018, p. 834)

Her research also documents how 'living liminality' equally entails practices that create attachment, engagement and belonging, which subvert the DP policy intention of keeping asylum seekers from integrating into Irish society. All voluntary activities that asylum seekers engage in become 'loopholes to integration and belonging in a system which discourages both (ibid., p. 837).

Women's experiences of the Irish 'international protection' system

Figures by the Office of the Refugee Applications Commissioner (ORAC) show significant variability in the share of women among protection applicants (asylum seekers) in Ireland. While the 'male to female ratio' was around 1 in the early 2000s, it was in 2016 at 1.6, close to the overall average of 1.5.

Year	Male	Female	Total	Male to Female ratio
1994*	264	97	362	2.7
1995	334	90	424	3.7
1996*	875	299	1,179	2.9
1997	2,643	1,240	3,883	2.1
1998	2,869	1,757	4,626	1.6
1999	4,958	2,766	7,724	1.8
2000	6,602	4,336	10,938	1.5
2001	5,447	4,878	10,325	1.1
2002	5,773	5,861	11,634	1.0
2003	3,944	3,956	7,900	1.0
2004	2,521	2,245	4,766	1.1
2005	2,778	1,545	4,323	1.8
2006	2,875	1,439	4,314	2.0
2007	2,478	1,507	3,985	1.6
2008	2,469	1,397	3,866	1.8
2009	1,758	931	2,689	1.9
2010	1,265	674	1,939	1.9
2011	779	511	1,290	1.5
2012	599	357	956	1.7
2013	585	361	946	1.6
2014	1,003	445	1,448	2.3
2015	2,614	662	3,276	3.9
2016	1,388	856	2,244	1.6
Total	56,821	38,210	95,037	1.5

*The totals in respect of these years include cases where 'Gender' was not recorded.

Source: ORAC (2016), p. 15.

According to Theophilus Ejorh, forms of gender-based violence and in particular 'female circumcision' and 'forced marriage' tend not to be acknowledged by Irish authorities as 'well-founded fears of persecution' and, therefore, grounds for asylum (Ejorh 2012, p. 586). At the same time, to date, there has been no publicly available data on the specific grounds on which protection applications are granted in Ireland, so it is difficult to ascertain the extent to which gender-specific grounds are being factored into decisions if at all.

It is also important to note that when women exit the DP system, the vulnerabilities created in this context bear long-lasting consequences. De Tona and Lentin make clear, for example, that when women seeking international protection are granted leave to remain as parents of 'Irish-born children' they still face major socio-economic challenges as a result of the barriers to employment and third-level education they faced while in the DP system (De Tona and Lentin 2011). Part III further considers gender-specific dimensions and experiences vis-à-vis Ireland's international protection process and DP system from a policy perspective.

Part III. The regulatory framework: Law, policy and implementation

1. Refugee law and policy

The *International Protection Act 2015* (Houses of the Oireachtas 2015b) is the main piece of domestic law setting out how Ireland meets its obligations for determining applications for international protection in compliance with the *UN Refugee Convention* (1951) and its 1967 protocol, as well as related EU Directives. International protection can be sought by a person seeking 'refugee protection' on the basis of a 'well-founded fear of persecution in the country of origin', or seeking 'subsidiary protection' on the basis of 'a real risk of suffering serious harm if returned to the country of origin' (Houses of the Oireachtas 2015a). The *International Protection Act 2015* (hereinafter: IPA 2015) creates a new, ostensibly more humane, single procedure, whereby an applicant makes one application only, and all grounds for seeking international protection and permission to remain in Ireland are considered and determined in one process. The content of the IPA 2015 is influenced by standards set out in the Common European Asylum System (CEAS). Initiated in 1999, CEAS is intended to achieve a single EU wide framework wherein applicants for international protection (IP) across the region will experience an equivalent level of treatment in reception conditions, procedural arrangements and status determination grounds. The current CEAS includes three principal directives, substantially revised in the last decade (Raithel 2016). These are: The Qualification Directive (EU 2011); The Procedures Directive (EU 2013a) and The Reception Conditions Directive (EU 2013b).

While Ireland has not opted into the recast Qualification Directive or the recast Asylum Procedures Directive, the IPA 2015 contains a number of important gender-specific provisions, which mirror certain requirements set out in the Qualification Directive. Specifically, it recognises that 'acts of sexual violence' and 'acts of a gender-specific nature' may amount to persecution (IPA 2015, para. 7, 2 (a), (f); Qualification Directive, Article 9 (acts of persecution)). Further, when assessing reasons for persecution, deciding officers should take into account situations in which an applicant's fear of being persecuted is linked to their membership of 'a particular social group' where the group is considered to be 'different' on account of 'gender related aspects, including gender identity' or a 'common characteristic of sexual orientation' (IPA 2015, para. 8, 1 (d) (ii), 3 (a), (b); Qualification Directive, Preamble para. 30, Article 10 (reasons for persecution)). Furthermore, in the assessment of 'facts and circumstances' outlined in a protection application, 'the individual position and personal circumstances of the applicant, including factors such as background, gender and age' should be taken into account (IPA 2015, para. 28, 4(c); Qualification Directive, Article 4 (assessment of facts and circumstances)).

The Qualification Directive also contains an overarching obligation on Member States, in the substantive implementation of the rights of beneficiaries of international protection (e.g., access to healthcare, housing, education, welfare, employment, etc.), 'to take into account the specific situation of vulnerable persons such as ... pregnant women, single parents with minor children and persons who have been subjected to ... rape or other serious forms of psychological, physical or sexual violence' (Article 20 (3)). As discussed further below, the IPA 2015 also mirrors the Qualification Directive's language in this regard in relation to vulnerable persons (IPA 2015, para. 58 (1)).

Failings in the assessment of 'vulnerable persons'

In addition to gender-sensitive criteria in determining if persecution has taken place, IPA 2015 recognises a list of 'vulnerable persons' (para 58), which potentially opens a window in which GBV and its effects could be taken into account in the protection application process. The list

largely repeats that contained in *Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast)* (hereinafter: Reception Directive), which Ireland belatedly opted into in 2018. The Reception Directive states:

Member States *shall* take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, *pregnant women, single parents with minor children, victims of human trafficking*, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, *rape or other serious forms of psychological, physical or sexual violence*, such as *victims of female genital mutilation* [FGM], in the national law implementing this Directive. (Reception Directive, Article 21; emphasis added)

Further, regarding the state's obligation to undertake assessment and address the special reception needs of vulnerable persons, the Reception Directive states:

In order to effectively implement Article 21 (above), Member States *shall assess whether the applicant is an applicant with special reception needs*. Member States shall also *indicate the nature of such needs*. That assessment shall be initiated within a reasonable period of time after an application for international protection is made.... Member States shall ensure that those special reception needs are also addressed, in accordance with the provisions of this Directive, if they become apparent at a later stage in the asylum procedure. Member States shall *ensure that the support provided to applicants with special reception needs in accordance with this Directive takes into account their special reception needs throughout the duration of the asylum procedure* and shall provide for *appropriate monitoring of their situation*. (Emphasis added)

The above provisions are, potentially, important tools to safeguard the rights and respond to the needs of women and other protection applicants who are affected by GBV. However, in Ireland the requirement to have 'due regard ... to the specific situation of vulnerable persons' (IPA 2015, para. 58) is interpreted narrowly and restricted to decisions relating to certain entitlements of those who have already been granted international protection (i.e., regarding employment, residency and family reunification) and not to applicants for protection. This underlines a reluctance on Ireland's part to address adequately the assessment of vulnerability and related needs of protection applicants during the protection application process.

The same deficit is evident in the provisions of *Ireland's European Communities (Reception Conditions) Regulations 2018* (hereinafter: National Regulations), which sets out the mode of Ireland's implementation of the Reception Directive (EC 2018). Apart from the exclusion of a reference to FGM, the National Regulations reproduce the EU Reception Directive's list of 'vulnerable persons', including victims of human trafficking and persons who have been subject to 'rape or other forms of serious psychological, physical or sexual violence' (National Regulations, para. 5, p. 8). However, Regulation 8, which articulates Ireland's approach to the assessment of the special reception needs of vulnerable applicants, is phrased in highly ambiguous and qualified terms. It states:

The Minister (a) *shall within 30 working days* of the recipient giving an indication ... [that they wish to seek international protection] and (b) may at any stage ... [thereafter], *where he or she considers it necessary to do so, assess* (i) whether a recipient is a *recipient with special reception needs*, and (ii) if so, the *nature of his or her special reception needs*. (Regulations, Regulation 8, p. 13; emphasis added)

To compound the ambiguity, the National Regulations define a ‘recipient with special reception needs’ as a protection applicant who *is* ‘vulnerable *and has been* assessed, in accordance with Regulation 8, as being in need of special guarantees in order to benefit from his or her *entitlements* and comply with his or her obligations *under these [National] Regulations*’ (emphasis added) (Regulations, p. 7). This formulation resembles but is very different in meaning from the parallel requirement in the EU Reception Directive to which Regulation 8 is supposed to give effect. The former states: an “applicant with special reception needs”: means a vulnerable person, in accordance with Article 21, who is in need of special guarantees *in order to benefit from the rights and comply with the obligations provided for in this Directive*’ (emphasis added) (Article 2, (k)).

Overall, therefore, Ireland’s National Regulations fall short of the EU Reception Directive requirements by: (i) substituting the word ‘entitlements’ for ‘rights’; (ii) restricting the terms of reference of the entitlements that are recognised to the provisions of the National Regulations, instead of the more clearly-stated and comprehensive rights contained in the EU Reception Directive; and (iii) adding an ambiguous, dual criterion of *having been* identified as a vulnerable person *and* ‘having been assessed’ as ‘being in need of special guarantees in order to benefit from ... entitlements’, while simultaneously failing to specify the mechanism for determining whether or not an applicant is vulnerable in the first instance or to establish a consistent procedure for the assessment of special reception needs of applicants who have been identified as vulnerable.

This ambiguous and weaker formulation of Ireland’s National Regulations is not just a matter of words; it has concrete consequences for the kinds of material reception conditions and supports that applicants might access to mitigate GBV-related vulnerabilities and risks. In particular, when designating an accommodation centre, in addition to taking account of the criteria of family unity and ‘gender and age-specific concerns’, it is required that the Minister ‘shall ... take into account any special needs assessed in accordance with Regulation 8’ (National Regulations, Regulation 7, p. 12). Furthermore, a determination that a person is vulnerable influences the applicant’s access to mental health care (Regulation 18 (d)); decisions about reduction of the applicant’s weekly allowance if they obtain paid work (Regulation 6 (3) (a)); and, if the person is detained, how frequently they are monitored and supported while in detention (Regulation 19 (9) (a) and (b); IRC 2019b, p. 19).

While some manifestations of being a ‘vulnerable person’ in the sense of Article 21 could be ‘self-evident’ or communicated easily by a recently-arrived protection applicant, the majority – including experiences of rape and sexual violence – are not and, without appropriate proactive policy measures, are likely to remain unidentified indefinitely. According to the National Regulations, the decision to undertake an assessment of a protection applicant’s special reception needs depends on whether the Minister ‘considers it necessary to do so’. But such a discretionary approach is at odds with the unequivocal statement in Article 22 of the Reception Directive that ‘Member States *shall assess whether the applicant is an applicant with special reception needs*’. It follows that if the process to determine vulnerability is *ad hoc* and if assessment of an applicant’s special reception needs is discretionary, the chances of actually identifying protection applicants who are vulnerable persons, including in relation to experiences of GBV, and having their related reception needs assessed and met appropriately, are greatly diminished.

Many of these concerns have been raised in the Irish policy context. In particular, the *Working Group to Report to Government on Improvements to the Protection Process, including Direct*

Provision and Supports to Asylum Seekers: Final Report (Working Group on the Protection Process 2015, hereinafter: McMahon Report) calls for the 'continuance and further development across the system of a ... method of prioritisation of cases for vulnerable applicants' and 'the introduction of vulnerability screening for all applicants' (McMahon Report, para. 3, 299). The final progress report on implementation of the McMahon recommendations, however, confirms Ireland's continuing failure to put in place such a vulnerability screening mechanism which, the report notes, is 'A desirable objective but carries significant resource implications ... [and therefore] is unlikely to be fully implemented in medium term' (Working Group on the Protection Process 2017, p. 26).

This situation has been strongly criticized by non-governmental organisations (NGOs) working in the area. Ireland's latest country report to the Asylum Information Database (IRC 2019a) underlines that under IPA 2015, 'There is no formal mechanism for the identification of vulnerable people, except for unaccompanied children' (IRC 2019a, p. 39) and the International Protection Office 'does not collate or publish disaggregated statistics on the number of asylum seekers belonging to vulnerable groups' (IRC 2019a, p. 40). It also reports there is 'no evidence of the development of a formal system of referral' (IRC 2019a, p. 41) for applicants who have been found to be vulnerable. Most recently, the Irish Refugee Council reported that of the approximately 4,139 people who claimed protection in Ireland in the year commencing 1 July 2018, *not one* was assessed as being vulnerable and requiring special reception needs (IRC 2019b, p. 4). These major deficiencies in Ireland's protection application processes potentially create and exacerbate barriers to identifying and addressing gender-specific needs of protection applicants, including in relation to different experiences of gender-based violence (GBV).

Direct Provision

The most controversial and publicly discussed aspect of migration in Ireland is its 'Direct Provision' system. Direct Provision was established in 2000 in response to a period of growth in the numbers of protection applications, which peaked in 2002 at 11,634 and subsequently declined steadily until 2014 (Foxe 2015). The system was put in place as a supposedly temporary method by which the state would meet its obligations to provide for the material needs of people seeking international protection who do not have the means to support themselves. The International Protection Accommodation Service (IPAS, formerly Reception and Integration Agency), under the auspices of the Department of Justice and Equality, co-ordinates accommodation for international protection applicants who do not have independent resources. In response to a recent parliamentary question, the responsible Minister reported: 'as of 29 September 2019, 7,462 persons were being provided with accommodation by ... [IPAS] including 6,063 persons residing in 38 [Direct Provision] accommodation centres ... across 18 counties ... [and a] further 1,399 applicants residing in 34 emergency accommodation locations in hotels and guest houses' (Dáil Éireann 2019, Question 15). Protection applicants are excluded from most social welfare entitlements but, following recent reforms, have conditional access to the labour market after nine months if their case has not yet been decided. Residents of Direct Provision centres receive basic subsistence (bed and board, typically comprising three meals plus snacks per day as determined by the accommodation centre) and a small weekly allowance (currently €29.80 per child and €38.80 per adult) (Citizens Information 2019). Children have access to pre-school, primary and secondary education 'on the same basis as Irish citizens' and recipients of Direct Provision have access to free public healthcare (ibid.). It is estimated that during 2000–2015 approximately 80 percent of protection applicants lived Direct Provision (Ní Raghallaigh et al. 2016, p. 11).

The Direct Provision system has been the subject of sustained criticisms by residents of the centres, NGOs, community groups and politicians that support them, various national and international human rights monitoring bodies, as well as researchers and academics. The Irish Human Rights and Equality Commission (IHREC) *Policy Statement on the System of Direct Provision in Ireland* (2014) highlighted many of the most pressing concerns. Most importantly, excessive delays in processing protection applications have left thousands of applicants living for years rather than months in highly constrained 'temporary' accommodation. This undermines the right to private and family life of residents, especially for children, which is exacerbated by the absence of self-catering facilities in the majority of accommodation centres (IHREC 2014, p. 18). The IHREC statement further underlined the 'lack of protection for vulnerable persons' within Direct Provision, especially the lack of 'single gender facilities' and 'access to a range of necessary support services' for victims of trafficking (IHREC 2014, p. 19). Paltry weekly allowances, the lack of an independent complaints mechanism for residents regarding conditions in centres, and restrictions on access to employment, were also highlighted as major concerns (IHREC 2014, p. 19).

Over the last decade, the migrant women's network AkiDwA has raised particular concerns about the gender dimensions of the deficiencies of Direct Provision. Research carried out by the group found 'some women reported that stress, poor living conditions and poverty [within Direct Provision] were possible contributors to domestic violence'. Others 'reported feeling that the stigma and stereotyping of female asylum seekers who are also women of colour had contributed to their being harassed in their communities' and 'there was an overwhelming feeling amongst the majority of the women that if they complained about problems within the reception or asylum system, it would jeopardise their cases' (AkiDwA 2010, p. 11). Subsequent research on safety and security issues confirmed that 'women are experiencing sexual harassment in Direct Provision settings and that a hostile environment exists for women seeking asylum and protection in and around some Direct Provision accommodation centres' (AkiDwA 2012, p. 15). A report by the Rape Crisis Network Ireland found, 'Domestic violence, sexual harassment and sexual assault in Direct Provision centres, recruitment for prostitution, and trafficking, particularly of young asylum seekers for the purposes of sexual exploitation, were all ... experienced by refugee and asylum seekers in Ireland' (RCNI 2014, p. 18). It concluded that 'significant reforms are urgently necessary in the Direct Provision system to halt the risk of sexual violence to vulnerable residents and minimise the psychological harm to survivors' (RCNI 2014, p. 4).

The *RIA Policy and Practice Document on Safeguarding RIA Residents against Domestic, Sexual and Gender-based Violence & Harassment* (RIA 2014) was developed in response to the issues outlined above. The policy applies to both residents and staff of accommodation centres 'under contract to RIA' (p. 4). The stated purpose of the policy is to 'assist in the prevention of Domestic, Sexual and Gender-based Violence and Harassment (DSGBVH)' (ibid.) by: facilitating the reporting of incidents of DSGBV to An Garda Síochána, the RIA and centre managers as appropriate; providing residents affected by DSGBVH with the information they need to access supports through the HSE and community service providers; and ensuring that records are kept of incidents and referrals (ibid.). Most recently, the revised *RIA House Rules and Procedures for Reception and Accommodation Centres* (RIA and DJE 2019) (hereinafter: House Rules) are presented as complementing the 'RIA Sexual Harassment and Domestic Violence policy' and other RIA policies, and as a feature of the national reception condition Regulations (p. 7). In Part I, 'Services That Your Centre Must Provide', the document declares: 'The centre must treat you with respect. We will not accept improper behaviour such as sexual harassment, racism or intimidation of any kind' (p. 7). Part II, the 'House Rules' themselves, are addressed to residents only. Examples of serious breaches of the House Rules include 'violence', 'sexual harassment',

'racism' and 'intimidation of any kind' (p. 17). In addition to the possibility of making a complaint about 'improper behaviour' and other problems in a centre to the centre manager or the RIA, recent reforms have given residents in Direct Provision centres access to independent complaints mechanisms via the offices of the national Ombudsman or Ombudsman for Children. Further research is needed to ascertain if these measures have had a positive impact on the issues raised by AkiDwA, the RCNI and other agencies.

More generally, in response to the many criticisms of the Direct Provision system, the Government convened a working group to make recommendations for improvements to the protection process, including Direct Provision. The resulting McMahon Report, containing 173 recommendations, was published in 2015, with three subsequent progress reports over 2016 and 2017. The Department of Justice reports that the '133 recommendations [in the McMahon Report] have been ... fully implemented and a further 36 are in progress or partially implemented. This [according to the authorities] represents 98% full or partial implementation' (DJE 2019d). It is generally accepted that there have been some improvements in living conditions, notably in opening up access to self-catering facilities and more appropriate family spaces in more but not all Direct Provision centres. The single application procedure introduced in IPA 2015 is expected, over time, to 'positively address the length of time which applicants spend in the process and consequently in the Direct Provision system' (DJE 2019d).

Since 2018 protection applicants have greater access to the labour market. This follows a 2017 Supreme Court ruling (*NVH v Minister for Justice and Equality*) which found that Ireland's complete ban on protection applicants working while their applications were in process was unconstitutional. Protection applicants are now permitted to work or be self-employed if after 9 months in the system a 'first instance decision' on their case has not been made (Aida and Ecre 2019). Permit holders cannot employ others or 'work in public bodies, such as the Civil Service, Local Authorities, or companies/entities majority owned by the Government or established by way of legislation' (ibid.). If granted, permission to work lasts 6 months and is renewable until a first decision is made, which at present takes about 15 months or more (Gallagher 2019c). However, applicants who had a negative first instance decision before the new rules were introduced, and are waiting for the outcome of an appeal, are not eligible to work (Aida and Ecre 2019). So, while the situation has improved for more recent arrivals, many protection applicants who are in Ireland longer remain shut out of the labour market. Further, the present system entails onerous administrative requirements on employers and employees, which are barriers to employment for eligible applicants (ibid.). Moreover, an ongoing housing crisis means there are severe shortages of affordable houses for rent, which makes it difficult for successful protection applicants to transition out of Direct Provision. At the same time, the numbers of people seeking international protection is growing, which puts the system under additional pressure. Further, in 2019, protests in the northwest of Ireland against government plans to open new Direct Provision centres in three localities succeeded in stopping developments, prompting new concerns about a rise in anti-immigrant sentiment (Holland 2019; Siggins 2019).

2. Migration law and integration policy

The immigration status of non-EEA nationals living in Ireland, who are not claiming international protection, is dealt with primarily by the *Immigration Act 2004*, which sets out 'the principal elements of the law governing the State's operation of controls on the entry into and presence in the State of non-nationals' (Houses of the Oireachtas 2004). The provisions of the act are given practical effect in different types of 'permission to stay in Ireland', referred to as 'stamps', with each stamp entailing different conditions for the holder. For example, Stamp 0 applies to persons who can demonstrate complete self-sufficiency, and their dependents, and does not

allow holders to work; Stamp 1, which permits the holder to work, is issued to people with employer-specific work permits, the spouses/partners/dependents of certain employment permit holders or researchers, and recent graduates entering employment; Stamp 2 applies to fulltime students who are permitted to work halftime during academic term time and fulltime the rest of the year and who cannot receive any state benefits or publicly funded services; Stamp 3 is issued mainly to dependents of non-EEA employment permit holders and does not permit the holders to work; Stamp 4 is issued to a variety of persons granted entitlements on par with Irish citizens, including non-EAA spouses/partners/dependents of Irish citizens or of other EEA nationals, employees in high skill/critical skill employment, and people who have been granted international protection; and, finally, Stamps 5 and 6 apply to naturalised and dual citizens, indicating permission to stay without conditions (INIS 2019). For non-EEA migrants who become 'undocumented' or whose status changes, for example, due to the death, divorce, or the departure of a sponsoring spouse/partner, an application for permission to stay in Ireland can be made to the Minister for Justice, which is granted at his or her discretion (*Immigration Act 2004*, Section 4(7)).

According to Women's Aid, approximately one fifth of the women it assisted in 2018 in its Dublin-based one-to-one and outreach support services were 'migrant women', that is, about 262 of 1312 users of these services (Women's Aid 2019, p. 9). The limitations and conditions attached to some 'stamps' outlined above could exacerbate risks and vulnerabilities vis-à-vis GBV for migrant women. For example, an adult dependent migrant in Ireland issued with Stamp 0 or Stamp 3, who is subject to domestic violence by a sponsoring spouse/partner, is additionally vulnerable because of their unavoidable economic dependence on the person who is abusing them. Further, by definition, a Stamp 0 holder is ineligible for a means-tested, state-provided medical card, which limits their autonomy in seeking the help of a doctor or public nurse, for example, if they are experiencing domestic violence. Furthermore, a migrant in this situation could be afraid they would lose their entitlement to stay in Ireland if they were to leave an abusive sponsor or report domestic violence to the police. In response to such scenarios, the Irish Naturalisation and Immigration Service (INIS) produced *Victims of Domestic Violence Immigration Guidelines* (2012) which outlines the process whereby a non-EEA person, whose lawful residency status depends on their spouse/partner, and who is the victim of domestic violence can apply to obtain permission to stay in Ireland in their own right (INIS 2012). A second INIS *Policy Document on Non-EEA Family Reunification* (2016) reiterates the importance of the domestic violence guidelines and notes, 'A number of persons have already made applications through this process and obtained immigration status independent from that of the perpetrator' (INIS 2016, p. 64). In addition, regarding an application from a non-EEA parent of an Irish citizen child to live in Ireland with their child, the family reunification policy requires 'Account ... to be taken of any issues relating to the conduct ... of the applicant' including in relation to domestic violence (INIS 2016, p. 55).

However, the Irish Human Rights and Equality Commission (IHREC) and NGOs engaged in addressing GBV in Ireland underline the inadequacy of existing policies to address migrant women's needs, especially in relation experiences of GBV, as well as the problem of reliance on the discretionary power of the Minister of Justice to determine immigration status on a case by case basis. Following the 2019 ratification by Ireland of the *Council of Europe Convention on preventing and combating violence against women and domestic violence* (Istanbul Convention), the IHREC has called for 'further legal measures ... to ensure the full implementation of Article 59 of the Istanbul Convention, which requires victims, whose residence status depends on their spouse or partner, to be granted autonomous residence permits irrespective of the duration of the relationship' (IHREC 2019b, p. 5). In the same vein, in a recent submission to the UN Committee on the Elimination of Discrimination against Women, the IHREC called for Ireland to

opt-in to the EU Directive on Family Reunification (*Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification*) (hereinafter: Reunification Directive), which provides for reunified spouses/partners and adult children to be granted independent permission to stay within five years (Reunification Directive, Article 15) (IHREC 2017, p. 11). The IHREC also recommends that 'the protection of undocumented women from violence should also be considered as a priority in immigration reform' (Ibid.). More generally, the IHREC is critical of the Government's failure to date to introduce a 'comprehensive Immigration and Residency Reform Bill, aimed at modernising Ireland's visa and residency systems', as agreed in the *Programme for a Partnership Government* (Government of Ireland 2016, p. 103)

Integration policy

The Office of the Promotion of Migration Integration (OPMI) in the Department of Justice and Equality is responsible for overall coordination of Ireland's 'migrant integration policy' which covers 'integration of legal immigrants in Irish society,... the coordination of Ireland's international reporting requirements relating to racism and integration and overseeing the Irish Refugee Protection Programme' (OPMI 2019). The *Migration Integration Strategy* (MIS) (DJE 2017c) is the main policy document guiding Government policy and action in these areas. The strategy covers 'EEA and non-EEA nationals, including economic migrants, refugees and those with legal status to remain in Ireland', which excludes international protection applicants (DJE 2017c, p. 18). Some elements of the underpinning 'vision' of the strategy are: respect by all for 'the basic values of Irish society', enabling migrants 'to celebrate their national, ethnic, cultural and religious identities, subject to the law'; ensuring that migrants are 'enabled and expected to participate in economic life' and 'participate in politics and public life as provided for by law'; positive action 'to address specific needs of migrant groups' and consultation with migrant representative groups in 'policy and service development' (DJE 2017c, p. 10).

In practical terms, Ireland's integration policy is described as a combination of 'mainstream service provision' and 'targeted initiatives to meet specific short-term needs' where 'actual delivery of integration services is the responsibility of mainstream Government Departments and service providers' (OPMI 2019). The actions to be taken by all departments include provision of essential information in relevant languages, 'intercultural training' for frontline staff, information on availability of interpretation services and how to report racist behaviour by staff or others, and mainstreaming integration issues into the work programmes and strategy statements of relevant departments (DJE 2017c, p. 4). Areas highlighted in the strategy for 'specific action' include increasing minority employment in the civil service and supporting wider labour market participation and entrepreneurship by migrants, creating local authority sponsored networks to engage 'hard-to-reach' migrants, liaising with schools on child protection and enrolment issues, provision of funding to support integration in local communities and, particularly important in relation to addressing GBV, the development of the *Second National Intercultural Health Strategy* (DJE 2017c, p. 5).

The Migrant Integration Strategy: A Blueprint for the Future (2017) makes no reference to forms of violence that might affect migrants including GBV and does not use the terms 'vulnerable persons' or 'vulnerability' at all. The strategy refers to women migrants only once and mentions gender in two instances. The former notes 'actions being taken by Ireland to advance the rights of migrant women *internationally*' (emphasis added) in the context of the state's national action plan on women, peace and security (DJE 2017c, p. 7). The first of two mentions of gender is a statement that national equality legislation prohibits discrimination on nine grounds, including gender and sexual orientation (DJE 2017c, p. 23). The second is an action commitment that 'Statistics on applications for citizenship disaggregated by age, gender and nationality will be

published annually' (DJE 2017c, p. 23). The inclusion of references to anti-racism measures and related human rights reporting as a core part of the MIS is significant and potentially offers a basis for advocacy in relation to the rights and needs of migrant women in Ireland. However, the absence of an explicit gender perspective, the omission of language commonly used in policy discourse to address intersectional and gender-specific vulnerabilities, and the restriction of 'migration integration policy' to migrants with lawful immigration status are very problematic gaps in the framing of the MIS. The following section considers how the nexus of migration, gender and GBV is addressed in a range of relevant policies and strategies across different governmental departments and units.

3. Health policies and strategies: The migration-gender-GBV nexus

Several strategy and policy documents across different governmental departments, units and programme are relevant to issues of migration, gender and/or GBV. Arguably, however, the policy that does the most to address this nexus is the *Second National Intercultural Health Strategy 2018-2023* (HSE 2018a) (hereinafter: Health Strategy). It offers a relatively well developed example of mainstreaming an intersectional, gender-informed approach to integration. The Health Strategy uses a more inclusive definition of 'migrant' than the MIS, to encompass 'asylum seekers, refugees, Roma, documented and undocumented migrants ... [ranging] from individuals who have recently settled in Ireland to those who have been resident in the country for many years' (HSE 2018a, p. 14). It recognises that health services are a 'key point of entry for people of all ethnic, cultural and religious backgrounds', and it is necessary to respond 'sensitively and effectively to ... [users'] unique needs' (HSE 2018a, p. 7). The first 'guiding principle' of the strategy is a commitment to 'equality and rights-based approaches', including 'targeted interventions ... to enable access and participation of excluded groups' (p. 20).

The Health Strategy contains almost 100 action commitments across 5 goals. Under Goal 2 (addressing health issues of service users from diverse ethnic, cultural and religious backgrounds), 19 of 50 actions deal with some aspect of the intersection of gender and migration, with several addressing forms of GBV as specified in relevant Irish legislation or other strategy documents (e.g., with respect to trafficking and 'FGM' or supporting victims of GBV from specific minority communities, especially Roma and Irish Travellers) (HSE 2018a, pp. 24–31). One of the stronger commitments is to 'review current service provision to ensure measures are in place for migrant women who experience or who have experienced domestic or sexual violence ... with particular consideration for women whose immigration status is linked to their partner's status' (HSE 2018a, p. 24). There are commitments to support access to 'culturally appropriate' family planning services (including regarding 'unplanned pregnancies'), particularly for women in living in Direct Provision centres or recently arrived programme refugees, as well as actions to ensure access to public maternity services 'regardless of immigration status', which are 'responsive to the specific needs of migrants' (HSE 2018a, p. 28). Other actions aim to identify and meet the particular needs of migrants who are LGBTI+ (HSE 2018a, p. 29).

However, the Health Strategy also has significant weaknesses. Although many actions are quite specific and establish important norms and policy trajectories, no measurable or time-bound targets are given by which to gauge progress. More specifically, the Health Strategy action to 'Review health screening practice in Direct Provision centres and emergency reception and orientation centres' (HSE 2018a, p. 27) is very inadequate. As discussed above, the screening practice referred to is the principal window and mechanism through which a protection

applicant might be identified as a 'vulnerable' person with special reception needs, including applicants who have experienced rape, sexual violence and torture. Given that deficiencies around the identification and assessment of vulnerability of protection applicants have been flagged as a critical area of concern, a commitment to review without stating the objective of the review is not sufficient. Likewise, the action to 'continue to support the delivery of specialised services to service users who have experienced torture and related trauma' is not formulated explicitly to ensure attention will be given to gendered forms of torture (HSE 2018a, p. 31).

Two additional health-related national strategies are relevant to migrants affected by GBV: *The National Sexual Health Strategy 2015-2020* (DH 2015) (hereinafter: SHS) and *Creating a Better Future Together: National Maternity Strategy 2016-2026* (DH 2016) (hereinafter: Maternity Strategy). The SHS utilises the World Health Organisation's definition of sexual health:

Sexual health is a state of physical, emotional, mental and social wellbeing in relation to sexuality; it is not merely the absence of disease.... Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. (p. 17)

It addresses issues affecting migrants in a short section entitled 'At risk and vulnerable groups' (DH 2015, p. 31), which notes:

Research with people with a migrant background has found that knowledge and information about sexual health and crisis pregnancy prevention services was poor, and experiences of accessing sexual and reproductive health services limited, in comparison with other young women in the same age group. The main barriers to accessing and participating in sexual and reproductive health services were linked to cultural and religious backgrounds, their pre-migration experiences, the impact of the legal status on access to health services, costs and language and communication issues.

In the same section, the SHS recognises that 'Some people may be in greater need of sexual health supports for a range of reasons ... [including] those who self-identify as lesbian, gay, bisexual or transgender (LGBT)' (ibid.). However, the strategy does not deal directly with sexual violence (SV) but refers to coordination with the pending DSGBV Strategy (Cosc and DJE 2016) and the 'complementary *HSE Policy on Domestic, Sexual and Gender Based Violence* [HSW 2010]' (DH 2015, p. 33), as well as the *National Guidelines on Referral and Forensic Clinical Examination Following Rape and Sexual Assault (Ireland)* (for current edition, see HSE 2018b). It is noteworthy that the latter guidelines – a 240-page manual – contain only implicit reference to refugee women when it states:

It is the responsibility of the RCC [rape crisis centre] liaison person to inform other SATU [sexual assault treatment unit] personnel of any service delivery changes or developments ... the availability of any other community services that are potentially useful for victims/survivors, such as refugee information services and women's support services and refuges. (HSE 2018b, p. 121)

Despite embracing a positive, rights-based definition of sexual health, including freedom from 'coercion, discrimination and violence' in this aspect of people's lives, and recognising that 'people with migrant background' face additional challenges to attaining this standard, the SHS contains no actions to address these concerns. Indeed, all 71 recommendations are very general

and preliminary. One commits to 'develop and manage a detailed implementation plan' (DH 2015, rec. 6.2, p. 57) but there is no evidence that such a plan was created. Just three of the 71 recommendations deal specifically with 'at risk and vulnerable groups' including ensuring: evidence-informed responses to at-risk groups (ibid., rec. 3.16, p. 64), that all campaigns and interventions should be inclusive of diversity of sexual experience (ibid., rec. 3.17), continued 'positive prevention', 'condom access' and 'targeted education and outreach' (ibid., rec. 3.18) and developing links with other strategies 'particularly those relating to vulnerable and at risk groups to ensure their needs are met' (ibid., rec. 3.9).

The Maternity Strategy (DH 2016) notes that '[i]n 2013, 15.5% of births in Ireland were to women from EU countries outside of Ireland, and a further 6.6% were born to women from non-EU countries' and acknowledges that '[t]he nationality of mothers may have implications for language and service needs,... [including] certain conditions [that] are more common in particular ethnic groups and ... difficulties reading or speaking English' (ibid., p. 39). Significantly, the strategy recognises, 'For a minority of women who experience social problems such as isolation, domestic violence or addiction, pregnancy and birth can provide an opportunity for them to access support for their safety and wellbeing ... [with] staff in maternity services ... uniquely placed to help vulnerable women and their babies access support and protective services' (ibid., p. 3). It is also noted that the 'The impact of the work of PHNs [public health nurses] with families who are vulnerable or at risk due to social disadvantage is particularly important' (ibid., p. 14). The Maternity Strategy further highlights '30% of domestic violence has been found to begin or escalate during pregnancy' and that 'women from ethnic minorities [are] particularly at risk' of domestic violence' (ibid., p. 42).

Again, however, the recognition of the challenges is not translated into specific action commitments, especially regarding the intersection of GBV and migration. Only one of the 79 actions in the Maternity Strategy addresses domestic violence, calling for 'midwives, obstetricians and GPs ... [to be] alert to the heightened risk of domestic violence during pregnancy ... [with] appropriate training for frontline staff to ensure that all such enquiries and disclosures [of domestic violence] are handled correctly' (DH 2016, p. 112). One other action touches on the particular needs of migrant women, pledging in general terms that 'Additional supports will be provided to pregnant women from vulnerable, disadvantaged groups or ethnic minorities' (ibid.).

4. Anti-racism and social inclusion

A National Consultative Committee on Racism and Interculturalism was active in Ireland from 1998 to 2008. It was shut down during the financial crisis and responsibility for anti-racism initiatives was moved to the Office for the Promotion of Migration Integration (OPMI). NGOs and the Irish Human Rights and Equality Commission have repeatedly criticized this action and the inadequacy of current institutional arrangements to deal effectively with the challenges of monitoring and countering racism in Ireland, including the failure to renew the *National Action Plan against Racism 2005-2008* (IHREC 2019a, p. 20; INAR 2019, pp. 9-10; Pavee Point 2019 p. 4). In this context, oversight by external bodies and mechanisms is especially important in Ireland, including through: the UN International Convention on the Elimination of Racial Discrimination (ICERD) and its monitoring committee (CERD); The COE Framework Convention on the Protection of National Minorities and its Advisory Committee; and the European Commission against Racism and Intolerance (ECRI) and its country monitoring function. Increasingly, anti-racism advocates and human rights mechanisms are leading the way in modelling an intersectional gender perspective.

The ECRI, in its fifth report on Ireland, calls on the government to produce 'A new and updated strategy against racism ... with a strong focus on reducing prejudice against the most vulnerable and targeted communities, including Travellers, Roma, migrants and Muslims (ECRI 2019, p. 10). Exemplifying its intersectional approach, the ECRI cautions that 'Muslim women wearing visible religious symbols are particularly vulnerable to discrimination and violence due to the intersectionality of gender and religion' (ECRI 2019, p. 26). Another example is the ECRI's call for solutions 'to be found to LGBT concerns in Direct Provision' (ibid., p. 10). Pavee Point, the national NGO working on behalf of Travellers and Roma as 'minority ethnic groups' also strongly underlines the gender dimension of its remit. It notes that Traveller and Roma are 'among the most marginalised and excluded individuals and groups in Ireland due to racism and discrimination based on ethnicity, gender and other factors' (Pavee Point 2019, p. 3).

In its current report to CERD, the Irish Network against Racism (INAR) highlights the 'overrepresentation' of 'ethnic minority and migrant women' among the categories of 'lowest paid in employment', 'excluded from education by lack of supports' and having 'reduced access to quality healthcare' and 'precarious access to safe accommodation' (INAR 2019, p. 34). The report flags gaps between migrants' qualifications and their labour market positions due to 'restrictive policies on the part of the state and discriminatory practices on the part of employers', which affect African women in particular, who are 'more than twice as likely to be unemployed, as their Irish counterparts' (ibid.). Concerns are also underlined by INAR about the 'remoteness of Direct Provision centres', which is a barrier to accessing health services for women living in the centres, and the poverty experienced by Roma women that is exacerbated by a 'lack of automatic entitlement to social protection measures' (ibid.). Overall, INAR concludes, 'Migrant and ethnic minority women, due to dependent residency status and social and economic exclusion, are more likely to become victims of domestic, sexual and gender-based violence' and, moreover, 'Migrant women are least likely to have extended social connections that can be used when escaping abuse ... [while] [t]he use of emergency accommodation to house survivors of domestic violence puts them at continued risk' (ibid.).

IHREC further notes in its submission to CERD that 'migrant women are disproportionately represented [among those] presenting to frontline domestic and sexual violence services' (IHREC 2019a, p. 105). It flags that 'sexual and domestic violence offences are chronically under-reported by victims from minority ethnic communities, due to ... the limited availability of reliable support services, accessible procedures, and specialised practitioners' (ibid. 103). INAR also reports that 'fear of deportation prevents migrant women engaged in sex work from accessing health and sexually transmitted infection clinics, drug services, rape crisis centres and even the police when they are victims of crime' (INAR 2019, p. 35). IHREC reiterates CEDAW recommendations to Ireland to ensure that 'prosecutors and the police are properly trained to identify, investigate, and prosecute cases, particularly cases involving violence targeted at Traveller, Roma, and migrant women and girls' (ibid., p. 106). Related to this, Pavee Point underscores the difficult relationship Roma women can have with An Garda Síochána, noting its findings that 77.5% of Roma women report being stopped by the police and 53.9% of Roma said they felt discriminated [against] by the police or in the courts (Pavee Point 2019, p. 7).

The IHREC submission to CERD contains 12 recommendations in relation to violence against women and girls, including calling for 'measures to encourage and facilitate the reporting of crimes ... [by] women and girls from minority ethnic groups' and to ensure there is 'robust and sufficient data on the experiences of women and girls from minority ethnic groups' (ibid., p. 104). It also requests the state to provide clear 'pathways to lawful residence for victims of domestic violence who are undocumented', to put Immigration Guidelines for Victims of Domestic Violence 'on a legislative basis', and to 'ensure that the needs of victims of violence

are identified and addressed throughout the asylum procedure' (ibid., pp. 158-159). Further, the Commission 'recognises that women have different and specific experiences of racial discrimination, particularly as their gender and ethnicity can intersect to create additional barriers and obstacles' (ibid., p. 35) and, from this perspective, calls for 'public awareness-raising and education measures to address discrimination and prejudice, including on the grounds of race and religion, and to specifically address the [multiple forms of] discrimination faced by minority ethnic women' (ibid., p. 153).

Gendering debate on hate crime and hate speech

A consensus now exists among human rights anti-racism advocates that there is a pressing need for stronger hate crime legislation in Ireland (COE 2018, p. 17; IHREC 2019a, pp. 153-155; INAR 2019, p. 3). The Prohibition of Incitement to Hatred Act 1989 is considered to be inadequate and ineffectual. Few convictions have been made under the Act and it does not take into account online hate speech. The IHREC submission to CERD contains 17 recommendations for reform in this area including legislating for 'aggravation and penalty enhancements for crimes motivated by hate or prejudice' (IHREC 2019a, pp. 42-43). Pavee Point's submission to CERD calls on the government to enact 'Hate speech and hate crime legislation that include Travellers and Roma in their protections' and 'Legislation to prohibit ethnic profiling by the police and other law enforcement agencies' (Pavee Point 2019, p. 2). In the absence of modernised legislation, An Garda Síochána includes 'sexual orientation' and 'gender' in its working definition of a hate crime as 'Any criminal offence which is perceived by the victim or any other person to, in whole or in part, be motivated by hostility or prejudice, based on actual or perceived age, disability, race, colour, nationality, ethnicity, religion, sexual orientation or gender' (AGS n.d.). However, as yet, discussion of the intersectional gender dimension of experiences of hate incidents is very underdeveloped.

Social inclusion

Ireland's social inclusion policy, which is informed by EU and UN paradigms, especially SDG 2030 (e.g., Council of the EU 2004; UNDP 2018), aims to address poverty and social exclusion at a local level. The Social Inclusion and Community Activation Programme (SICAP) 2018-2022 (hereinafter: SICAP) is the main mechanism for this purpose. Funded by the Department of Rural and Community Development and the European Social Fund (ESF) and managed by 33 Local Community Development Committees (LCDCs) across the country, SICAP aims to 'strengthen communities and improve people's lives' by '[targeting and supporting] those who are disadvantaged in Irish society and less likely to use mainstream services' (Pobal 2018, p. 9). Unusually in the Irish policy context, a detailed monitoring framework is in place, including 12 goals, 29 specific outcomes and 57 associated indicators and a commitment to produce end of year progress reports (ibid., pp. 40-49). The SICAP programme is presented as combining three core elements:

- (1) Promoting an equality framework with a particular focus on gender equality and anti-discrimination practices;
- (2) Applying community development approaches to achieve the participation of disadvantaged and marginalised communities ...;
- (3) Developing collaborative approaches with stakeholders to improve how mainstream policies and programmes are delivered ... [and] impact more positively on the socially excluded. (Pobal 2018, p. 11)

Although it does not use the language of intersectionality, SICAP espouses an intersectional approach, noting that: 'Some women may experience double or cumulative disadvantage as a result of being a woman and being a member of a SICAP target group or a disadvantaged community' (ibid.). There are 13 designated target groups including 'disadvantaged women' and 'disadvantaged young people' as new target groups in this round, as well as continuing categories of 'new communities', lone parents, Roma and Traveller, low-income workers/households, the unemployed, disadvantaged children and families, people living in disadvantaged communities and people with disabilities (ibid., p. 28). Notably, gender-based violence and 'cultural and societal norms' are recognised as sources of gendered disadvantage:

Women are frequently disadvantaged by policies and practices that do not recognise their different realities and experiences, such as unequal and lower pay, a greater share of care responsibilities, barriers to advancing into leadership positions, and gender-based violence ... [all] largely shaped and influenced by cultural and societal norms. (p. 29)

The definition of 'new communities' in SICAP is inclusive:

The new communities target group includes people who are migrants experiencing disadvantage, refugees and asylum seekers. They could be from other EU Member States or from outside the EU but are resident/living in Ireland. It includes those who are living in Direct Provision. (Pobal 2018, p. 18)

Further, initiatives funded through SICAP are required to engage with local community groups that represent 'people who are socially excluded ... such as people with disabilities, migrants, Travellers or the long-term unemployed' and, moreover, programme implementers should 'promote equality for target groups, gender equality, anti-discrimination, human rights and respect for diversity in their work with community groups (ibid.)

These features of SICAP have the potential to make it an effective policy tool in efforts to address GBV-related risks and vulnerabilities experienced by disadvantaged migrant women. However, the data provided in the 2018 report suggest that positive actions are required to support engagement with SICAP by migrant women and begin to realise this potential. The share of local community groups (LCGs) funded through SICAP, for whom 'disadvantaged women' was a primary target group, was just 7%. By comparison, the categories of 'people living in disadvantaged communities' and 'disadvantaged children and families' were primary target groups of 43% and 14% respectively of the LCGs that received funding (Pobal 2019, p. 29). In terms of the numbers of individual beneficiaries, along with Travellers (2%) and Roma (0.4%), disadvantaged women (0.4%, 137) were the least represented target groups among those who benefitted from SICAP initiatives and supports in 2018 (ibid., p. 44). The low numbers of beneficiaries in the 'disadvantaged women category' is partly because the category is used to record women who do not belong to any other target group as well as particular challenges experienced by the disadvantaged women including 'social isolation, economic dependency and language barriers' (ibid., p. 44, note 48).

The *National Traveller and Roma Inclusion Strategy 2017-2021* (DJE 2017b) (hereinafter: NTRIS) is an important expression of government policy in relation to discriminated against ethnic minority groups in Ireland. In the HSE DSGBV manual (HSE 2019, p. 54), a suggestion is cited that Roma, as EU citizens, should be recognised as such and not be categorised as 'migrants' – presumably because, depending on the context, the label 'migrant' could serve to disadvantage them further. Here, however, the term 'migrant' is used inclusively, as it is in SICAP and the Intercultural Health Strategy (HSE 2018a, p. 14), to embrace asylum seekers, refugees, Roma, as

well as documented and undocumented migrants, whether from nationals of non-EEA or EEA countries. The Minister's Foreword to the strategy acknowledges that since 2008 in particular, Travellers and Roma, as 'marginalised people in Ireland ... suffered disproportionately from the effects of financial adjustments' and declares it 'a moral and societal imperative' on the part of the government to 'work together [with NGOs] to address the real needs of these communities' (DJE 2017b, p. 3). The NTRIS contains 149 actions intended to progress this broad objective across ten domains, including gender equality and anti-discrimination, as well as cultural identity, education, employment and accommodation, among others.

Seven of the 11 actions on gender equality in the NTRIS deal with GBV. Most significant among these are commitments on the part of the HSE and/or TUSLA to: 'engage with Traveller and Roma communities ... in order to identify and implement evidence-informed responses to gender-based violence in these communities (DJE 2017b, action 104, p. 38); 'deliver training to service providers on violence against Traveller and Roma women to remove barriers to services' (ibid., action 105); ensure that policy and practice across all components of specialist domestic, sexual and gender-based violence services ... is non-discriminatory towards ... Traveller and Roma [service users]' (ibid., action 106); 'introduce positive action measures to enable Traveller and Roma women to access gender-based violence training and employment opportunities' (ibid., action 107); and 'work with stakeholders on the specific needs of Roma women experiencing violence to enable them to access supports, including women's refuges' (ibid., action 108).' However, the particular situation women of is not addressed in the lists of actions in any other domain of the strategy. For example, although the Gender Equality section contains the general objective that 'Traveller and Roma women should be supported in key areas including education, employment and economic development' (DJE 2017b, p. 37), there are no women-specific positive actions in the sections of the NTRIS that deal with these areas.

Serious weaknesses of the NTRIS have been highlighted by the Advisory Group of the FCNM. The body points to the problematic absence in the strategy of 'clear and concrete implementation plans, with specific targets, indicators, timeframes and allocated resources' and of 'a monitoring and evaluation mechanism, which should involve representatives of Traveller and Roma organisations' (COE 2018). So, while the qualitative commitments are clearly articulated and in line with the aspirations of the affected communities and NGOs representing them, the concrete ways and means by which the actions will be implemented and progress will be measured weaken the NTRIS. The FCNM Advisory Group further underlines that 'reliable information about the ethnic composition of the population is an essential condition for implementing effective policies and measures to protect minorities, for helping to preserve and assert their identity as well as for addressing their needs' (ibid., p. 8). Specifically, it calls on the government to 'collect relevant disaggregated data to address discrimination issues regarding Traveller and Roma women and girls, to adopt an implementation plan with clear targets, indicators, timeframes and resources and to implement both the *National Traveller and Roma Inclusion Strategy 2017-2021* and the new *National Strategy for Women and Girls 2017-2020* in a coordinated and consistent way' (ibid., p. 12).

5. Gender-based violence and trafficking

Gender-based violence

The Council of Europe *Convention on preventing and combatting violence against women and domestic violence* (Istanbul Convention) entered into force in Ireland July 1 2019. The Convention aims 'to implement measures to protect the rights of victims [of gender-based violence] ... without discrimination on any ground' such as 'race, colour, language, religion,... national or social origin,... migrant or refugee status, or other status' (COE 2011). The Irish

Human Rights and Equality Commission (IHREC) has noted significant obstacles to monitoring implementation of the Convention in Ireland, especially inadequate data and research and chronic under-reporting of GBV, particularly by victims from marginalised communities (IHREC 2019b, p. 2). The Department of Justice and Equality (DJE) and Central Statistics Office (CSO) have committed to undertake a national survey on the prevalence of sexual violence (DJE 2019a). The IHREC has called for the survey to 'document the incidences of violence against specific groups,... including women from the Traveller and Roma communities, women with disabilities, women from minority ethnic and national groups, women from the LGBTI+ community, women in institutional settings, homeless women, women in prostitution and women who have been trafficked' (IHREC 2019b, p. 3). Both IHREC (2019b, p. 8) and the Law Reform Commission (2019, p. 7) have underlined persistent deficiencies in access to justice in relation to sexual and gender-based violence as key programmatic priorities in 2019. The Domestic Violence Act 2018 significantly strengthens the rights of victims in terms of eligibility to obtain orders against violent partners and entitlement to various supports throughout the application process. It introduces about 20 factors that the Court must take into account when deciding on an application for an order under the Act such as whether the respondent has a history of violence against the applicant or others, and if the applicant is economically dependent on the respondent (Women's Aid 2018, p. 1).

The Criminal Justice (Victims of Crime) Act 2017 (hereinafter: Victims Act 2017) ostensibly translates into national law *Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime* (hereinafter: Victims Directive). The directive expresses a strong commitment to an intersectional, gender approach with the potential to significantly improve the situation of all victims affected by GBV, including migrant and minority women. The Victims Directive requirements on states to undertake detailed assessments of victims' personal circumstances are comprehensive. It states:

Individual assessments should take into account the personal characteristics of the victim such as ... age, gender and gender identity or expression, ethnicity, race, religion, sexual orientation, health, disability, *residence status*, communication difficulties, relationship to or dependence on the offender and previous experience of crime. They should also take into account ... whether it is a hate crime, a bias crime or a crime committed with a discriminatory motive, sexual violence, violence in a close relationship, [and] whether the offender was in a position of control. (Victims Directive, para. 56, emphasis added)

Regarding assessment of victims of crime for the purposes of identifying 'specific protection needs', the directive calls for particular attention to be paid to 'victims of human trafficking, gender-based violence, violence in a close relationship, sexual violence, exploitation or hate crime, and victims with disabilities' (Article 22). However, the omission of 'residence status' is striking in the 'Assessment of victim' section (para. 15) of the Irish Victims Act 2017. Specifically, officers who are responsible for assessment of victims are asked to have regard to 'the personal characteristics of the victim, including ... age, gender, gender identity or expression, ethnicity, race, religion, sexual orientation, health, disability, communications difficulties, relationship to, or dependence on, the alleged offender' (Victims Act 2017, para. 15 2 (d)). This list is identical to that in the Victims Directive except for the exclusion of 'residence status'. This action, which has echoes of Ireland's approach to vulnerability screening and needs assessment of protection applicants, potentially closes off the rights and protections of the directive to the most precarious categories of migrant, including those affected by GBV.

The *Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021* (hereinafter: DSGBV Strategy) is the main policy platform through which government policy on GBV is progressed. Its stated aims are to change societal attitudes to foster a reduction in

domestic and sexual violence, improve supports available to victims, and hold perpetrators to account (Cosc and DJE 2016, p. 2). The associated DSGBV Action Plan contains 57 actions under the headings of prevention, provision of services, and implementation and monitoring. However, only one of these calls for specific interventions to meet the needs of minority and migrant women. It pledges to 'develop appropriate, evidence based, targeted interventions in domestic, sexual and gender-based violence in communities of particular vulnerability, including migrants, Traveller and Roma women' (Cosc and DJE 2017, Action 2.1100, p. 23). A second related action undertakes to 'improve confidence in how An Garda Síochána [the Irish police force] manages Domestic and Sexual Abuse within diverse and emerging communities' (Cosc and DJE 2017, Action 2.100, p. 22). The DSGBV Action Plan also promises to enhance 'training of frontline professionals [in Tusla and HSE] ... that assures a consistent, appropriate and culturally competent response to persons presenting to services' (Cosc and DJE 2017, Action 1.500, p. 7). A further action has paved the way for the introduction of new legislation to prohibit forced marriage (Cosc and DJE 2017, Action 2.3900, p. 44). Finally, with regard to implementation and monitoring, the DSGBV Action Plan promises to 'Establish a ... "gold standard" of data collection and analysis by all agencies ... in the area(s) of domestic and sexual violence' whereby data gathered will be disaggregated by ethnicity of victim and perpetrator and relationship between victim and perpetrator, as well as by age, sex and disability.

The DSGBV Strategy and its Action Plan were initially welcomed by leading women's and migrant advocacy organisations in Ireland. However, significant criticisms have been advanced subsequently. In a recent evaluation of implementation of the DSGBV Strategy, the National Women's Council of Ireland (NWCi) highlighted pressing concerns in relation to data disaggregation, noting that 'progress is unacceptably slow' and 'commitments in relation to data collection need to be reviewed, prioritised, and heavily monitored' (NWCi 2019, p. 2). On the same topic, a joint report to the UN Committee on the Elimination of Discrimination against Women (CEDAW) by Traveller and Roma rights advocates underscored the persistent problem of the 'lack of data available on violence experienced by vulnerable and marginalised women'; the absence of consultation with relevant civil society organisations on establishing a 'gold standard' of data collection; and the lack of clarity as to whether 'all relevant agencies will disaggregate data by ethnicity' (Pavee Point and NTWF 2017, p. 13). Importantly, the migrant organisation Nasc additionally calls for 'data collection and disaggregation in the area of domestic and sexual violence ... [to] also include residency and immigration status of victim and perpetrator' (Nasc 2016). The systemic lack of specificity in the formulation of action commitments has also been highlighted as detrimental to progress. The NWCi calls for 'each action ... [to] be clearly considered and the various strands teased out to ensure that it is as specific as possible' (NWCi 2019, p. 6), while Traveller and Roma rights advocates want 'specific objectives, targets, activities, indicators, timeframes and adequate human and financial resources for the social inclusion of Traveller and Roma women in all policy areas ... including ... violence against women' (Pavee Point and NTWF 2017).

The *HSE National Domestic, Sexual and Gender-Based Violence Training Resource Manual: Recognising and Responding to Victims of Domestic, Sexual and Gender-Based Violence (DSGBV) in Vulnerable or At-Risk Communities* (HSE 2019) (hereinafter: DSGBV Manual) draws substantially on publications by Pavee Point Traveller and Roma Centre. The section titled 'The Needs of At-Risk or Marginalised Groups' begins by recognising the 'two-fold discrimination' experienced by women in these groups on the basis of 'gender and ethnic origin', which is compounded by 'migrant status, increased isolation, and social norms that are defined by patriarchal values' (HSE 2019, p. 54). The section provides a detailed summary of the common obstacles to assistance and safety encountered by people affected by GBV who are 'migrants, Travellers and Roma ... [or members of] other minority marginalised groups' (ibid.). These include: 'fear and mistrust of police and statutory services as a result of [past experiences of]

racism ...; limited knowledge of the legal system; limited or inaccurate information on entitlements; immigration-related poverty,... [including] the impact of legal status on eligibility/entitlements;... communication issues, for example, language barriers, lack of interpreters, literacy issues; [and] lack of cultural competency by health-care or other provider' (HSE 2019, p. 55). The DSGBV Manual also contains one of the few references in relevant policy documents to experiences of people who LGBTQI+ *and* migrants or members of minority groups. Specifically, it recognises that 'LGBTI+ persons can experience particularly high levels of stress due to the stigma and discrimination they may face as a result of their cultural backgrounds'. The additional needs of victims of trafficking and women who have been subject to 'FGM' are also noted, along with the risk of homelessness as a major obstacle to safety for migrant and members of minority groups affected by GBV (HSE 2019, p. 54).

Habitual Residence Condition: An obstacle to safety

The Habitual Residence Condition (HRC), established in Irish social welfare policy since 2004, is repeatedly cited by NGOs as a major obstacle to ensuring the safety of some categories of migrant and minority women who are experiencing domestic violence (Nasc 2016; Pavee Point 2015; Women's Aid 2008). A person must meet the HRC in order to access social assistance such as child benefit, job seekers allowance and rent allowance. In addition to having a 'right to reside', several factors are considered by the authorities to determine if a person meets the HRC, including employment pattern and continuity of residence, among others. Undocumented migrants and migrants with histories of insecure housing and employment and who experience domestic violence are severely disadvantaged by this policy. The inability to access social assistance in their own right perpetuates the dependence of victims of GBV on abusive spouses or partners. Further, Women's Aid notes, 'due to limited funding, [women's] refugees find it very hard to assist women without income, who may therefore be denied access to refuges at a particularly vulnerable time' (Women's Aid 2008). In this context, Women's Aid has recommended that migrant women experiencing domestic violence 'should be exempt from the Habitual Residence Condition' and allowed to access essential welfare payments to enable their safety (ibid.). More recently, Nasc underlined the inadequacies of the current INIS *Victims of Domestic Violence Immigration Guidelines* (INIS 2012), which do not cover 'undocumented women, who may be particularly vulnerable' (Nasc 2016). Overall, Nasc observes, a lack of clarity about the timeframe for applications is adversely affecting women's access to emergency services and welfare supports and leaving 'victims of domestic violence at high risk of homelessness and destitution' (Nasc 2016). To remedy this, Nasc asks that 'Expedited processing times for applications from women and girls victims of violence should be implemented, and temporary permissions should be issued while applications are being considered' (ibid.).

Trafficking, gender and migration

Official figures generally underestimate the actual numbers of trafficked persons in Ireland due to the nature of the crime and the ways in which victims are dispersed and isolated throughout the country (Breathnach 2019). In the five-year period 2013-2017, there were 283 victims of human trafficking detected in the Republic of Ireland. Women and girls accounted for two-thirds of these with about 7% of the total being children. Almost half of detected victims were subjected to sexual exploitation with 95% of these being female; and about 40% were trafficked for the purposes of economic exploitation, with two-thirds of this group being male and one-third female (DJE 2017a, p. 8). Nearly one half of detected victims were trafficked from within the European Economic Area (EEA), 30% from Africa, 12% from Asia and around 7% from South America (p. 9). In this period women from Africa and South America were more likely to be trafficked for purposes of sexual exploitation (ibid.). In terms of trends, according to the US State Department, Irish authorities and media report that 'the problem of forced labor in the country is growing' notably in 'domestic work, the restaurant industry, waste management,

fishing, seasonal agriculture, and car washing services' with 'undocumented workers in the fishing industry and domestic workers, particularly au pairs,... [being] particularly vulnerable to trafficking' (Government of USA 2019, p. 253). The country has experienced a rise in suspected victims from Nigeria, Romania, Indonesia, Brazil, and Pakistan, while, 'women from Eastern Europe who are forced into marriage in Ireland are at risk for sex trafficking and forced labor' (ibid.).

The Criminal Law (Human Trafficking) Act 2008 and Criminal Law (Human Trafficking) (Amendment) Act 2013 are the main basis in domestic law for Ireland's efforts against human trafficking. The 2008 Act defines trafficking comprehensively as 'recruiting, transporting, transferring to another person, harbouring, or causing the entry into, travel within or departure from the State of a person or providing the person with accommodation or employment for the specific purpose of the trafficked person's sexual or labour exploitation or removal of his or her organs' with penalties for convicted traffickers including up to life imprisonment (DJE 2016, p. 7). The 2013 Act ensures conformity of domestic legislation with the Council of Europe Convention on Action against Trafficking in Human Beings; the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children (both ratified by Ireland in 2010); as well as the EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

A civil society campaign, 'Turn off the Red Light' (TORL), culminated in the Criminal Law (Sexual Offences) Act 2017, which makes it illegal to purchase sex in Ireland. The 2017 Act provides for 'a general offence of paying to engage in sexual activity with a prostitute ... and a more serious offence of paying to engage in sexual activity with a trafficked person' (COE 2017, p. 25). Proponents of the legislation argued it would 'discourage demand which fosters sexual exploitation' (ibid). GRETA (Group of Experts on action against trafficking in human beings) welcomed the effective public awareness raising efforts that accompanied the TORL campaign (ibid). At the same time it noted concerns expressed by critics of the TORL initiative about 'the possible negative impact of the criminalisation of purchase of sexual services,... [including the] potential for further victimising people engaged in prostitution' (COE 2017, p. 26). GRETA's report underlined the imperative of analysing 'the impact of criminalising the purchase of sexual services on the identification of trafficking victims, the protection and assistance provided to them, and the prosecution of traffickers' and of further research on the 'effects of criminalising the purchase of sexual services on the reduction of demand for services provided by victims of trafficking' (ibid.).

The *Second National Action Plan to Prevent and Combat Human Trafficking in Ireland* (DJE 2016) is the Irish government's overarching policy to address human trafficking (hereinafter: AHT-NAP). The main goals of the government's AHT-NAP relate to the seven stated dimensions of Ireland's anti-human trafficking policy and practice. These are: 1. prevention; 2. identification and support of victims; 3. effective criminal justice responses; 4. ensuring responses are gender sensitive and comply with human rights; 5. coordination and cooperation between all key actors; 6. increased knowledge; and 7. effective response to child trafficking (DJE 2016, p. 34). The AHT-NAP contains 65 actions, ostensibly to advance all of these policy dimensions. However, despite recognition of the gendered dimensions of trafficking throughout the narrative of the document, not a single action commitment explicitly deals with the stated goal of ensuring that all policy responses should be 'gender-sensitive'. The terms 'gender', 'gender-based violence' (or any of its cognates) or 'sexual exploitation' do not feature in the formulation of any action, while 'labour exploitation' is the principal focus of two actions (nos. 28 and 29). The term 'human rights' appears in just one action (no. 11), and this in a form that exemplifies the vagueness of the majority of the 65 actions; Action 11 commits to 'Continued efforts to ensure that the border remains a strong line of defence against traffickers while ensuring human rights standards for migrants are maintained', with implementation occurring through the

development and implementation of 'education, training and monitoring programmes as appropriate' (DJE 2016, p. 45). Each of the actions listed under the protection dimension has the potential to positively impact migrants who have been trafficked and subjected to different forms of GBV. For example, actions to: 'Carry out a fundamental review of the formal identification process for victims of human trafficking' (DJE 2016, action 21); 'examine methodologies to improve the level of detection of human trafficking victims' (ibid. action 23; and 'monitor and examine the adequacy of ... services provided to victims of trafficking in human beings' (ibid. action 24). However, the absence of specific, measurable commitments, and the omission of an explicit requirement of gender-sensitivity in the implementation of each action, greatly diminish the credibility of the AHT-NAP.

More specifically, Ireland has been criticized severely for the deficiencies of its National Referral Mechanism (NRM) – 'the framework through which State bodies fulfil their obligations to promote the human rights of trafficking victims, working in partnership with civil society' (DJE 2016, footnote, p. 29). The US State Department's *Trafficking in Persons Report 2019* defines Ireland as a Tier 2 country vis-à-vis its efforts to combat trafficking (having downgraded it from Tier 1 in 2018). Among other failings, the report notes 'chronic deficiencies in victim identification, referral, and assistance' and 'insufficient victim protection efforts' (Government of USA 2019, p. 251). In Ireland the NRM is geared primarily to address the needs of 'foreign nationals' (i.e., non-EEA nationals), who are not applicants for international protection and who are deemed by An Garda Síochána [the police force] to be victims of trafficking on the basis of a 'reasonable grounds' determination (DJE n.d.a). Although the government holds that 'a person from the European Economic Area (EEA) who might be a suspected victim of trafficking will get the same supports as a person from outside the EEA' (DJE n.d.b, p. 7), the State Department report reiterates concerns about the exclusion of EEA nationals from the scope of the NRM. It highlights the views of 'NGOs and lawyers' that this arrangement deprives EEA nationals who may be victims of trafficking from access to specialized assistance, noting the requirement to satisfy the Habitual Residence Condition as a particularly onerous barrier (Government of USA 2019, p. 252).

An earlier evaluation of Ireland's efforts by GRETA (Group of Experts on action against trafficking in human beings) underlined Ireland's pledge to 'complete the review process of the victim identification system by the end of 2017' (COE 2017, p. 30) and recommended that 'the reviewed procedure should ... cover all victims, including EEA and Irish citizens, as well as asylum seekers, and ... formalise the decision-making process by specifying the requirements for a "reasonable grounds" decision and the rights which flow from it' (ibid., p. 33). The State Department report in 2019, however, notes continuing dissatisfaction with 'the slow pace of and lack of clarity surrounding the development of the [National Referral] mechanism and the impact gaps may have on the needs of potential victims' (p. 252). Furthermore, regarding services provided to victims of trafficking who are housed in the Direct Provision system, the report highlighted the 'lack of specialized services in the centers for all victims [of trafficking], but especially for female victims who had been traumatized due to psychological, physical, or sexual violence' (p. 252).

6. Women-specific policies

National Strategy for Women and Girls 2017-2020

Ireland's *National Strategy for Women and Girls 2017-2020: Creating a Better Society for All* (hereinafter: NSWG) is framed in relation to the main international standards on women's rights, from the UN Convention on the Elimination of All Forms of Discrimination against Women (1979) and the Beijing Declaration and Platform for Action (1995) to the equality goals of the 2030 Agenda for Sustainable Development (2015). It is described as 'the framework through

which the Government will pursue actions to advance the rights of women and girls' (DJE 2017d, p. 7). Importantly, the opening section proclaims the strategy's intersectional, human-rights, and 'positive action' approach, stating that:

[It] is underpinned by the societal values of equality, non-discrimination, inclusiveness, generosity, intersectionality, diversity and respect for human rights ... [and recognises that] opportunities and outcomes can differ for women and girls depending on their age, sexual orientation, gender identity, civil status, beliefs, ethnicity or ability, [so that] a national strategy is needed to address instances of multiple discrimination and to put forward positive action measures for women and girls who experience particular disadvantages arising from the intersection of gender with other aspects of their identity. (Ibid.)

However, despite this strong rhetorical commitment to intersectionality and inclusiveness, none of the NSWG's 139 actions directly addresses issues affecting 'migrant women'. Four very general planned 'outcomes' relate to Traveller and Roma women, including 'improved access' to education, training and employment opportunities (DJE 2017b, Action 1.20, p. 35) and 'improved outcomes' in health (ibid., Action 2.9, p. 46), as well as 'greater level of participation in public life' (ibid., Action 3.11, p. 54) and in 'leadership positions' (ibid., Action 4.15, p. 61). For the most part, however, the actions stipulated are not ambitious but refer to routine administrative actions or the continuation of existing programmes that are under-resourced. For example, Action 2.9 is to 'Include actions in the forthcoming *National Traveller and Roma Inclusion Strategy (2017-2020)* to support initiatives in relation to Traveller and Roma women's health including by further developing and enhancing the Traveller Primary Healthcare Projects' (ibid., Action 2.9, p. 46). The same formulation is used in the two envisaged outcomes relating to the LGBTI community, including vague statements such as to 'Consider in the forthcoming National LGBTI Inclusion Strategy how best to improve health outcomes for LGBTI persons' (ibid., Action 2.10, p. 47) and the goal of 'Enhanced wellbeing and inclusion of LGBT+ young people' (ibid., Action 2.11, p. 47). One action with potentially positive implications for migrant women, is that: 'The second HSE National Intercultural Strategy will include a specific section directed to the care and support of women and girls from diverse ethnic backgrounds' (ibid., Action 2.7, p. 45). A commitment of 'Improved healthcare services and health outcomes for women and girls who have undergone FGM' (ibid., Action 2.8, p. 46) is also included. While the above envisaged outcomes and actions are commendable as broad aspirations, they lack the necessary specificity to be considered meaningful targets in a national strategy.

Outside the actions section, the 80-page NSWG contains only two brief substantive mentions of migrant women. The first is under the heading 'Women with particular disadvantages', which notes that 'Roma and some migrant women ... experience significantly poorer outcomes in terms of employment and access to resources' (DJE 2017d, p. 20). The second, in a section on combating violence against women, notes that 'new issues are emerging which include sexual exploitation of women, sometimes trafficked or migrant women, by those purchasing sexual services' (ibid., p. 63). On broader equality issues, regarding 'Advancing the specific socio-economic situations' and 'Promoting the effective participation in public life' of 'migrants' (ibid., pp. 30 and 50), the reader is directed to *The Migrant Integration Strategy: A Blueprint for the Future* (MIS). However, as discussed, the MIS does not contain a single specific action relating to migrant women in Ireland. Consequently, the concerns of migrant women – in the form of action commitments – are missing from the *Migrant Integration Strategy* and the *National Strategy for Women and Girls*. This suggests a failure to implement the 'mainstreaming' of integration and the effective application of an intersectional approach to women's rights and gender equality.

In 2017, the CEDAW committee's review of Ireland's compliance with the UN Women's Convention, urged 'the formulation of indicators, benchmarks and timelines in this Strategy

[NSWG], gender mainstreaming, and the collection of data disaggregated by sex and other characteristics in order to inform policy and programmes' (DJE 2017d, p. 10). In response, the NSWG contains a pledge that DJE's 'Gender Equality Division will develop targets and appropriate indicators against which the outputs and impact of the Strategy's actions will be measured' while 'The Strategy Committee will advise on the development of targets and indicators for monitoring progress on implementing the Strategy' (ibid., p. 27). One of the few more specific actions in the NSWG is that 'Targets and indicators [will be] agreed for all actions' by the third quarter of 2017 (ibid., p. 28). Very significantly, this target remains unmet.

In the midterm review of the NSWG (DJE 2019c), on the issue of indicators, the report notes that the process of 'the development of indicators for tracking progress ... has not been without difficulty and has taken considerably longer than envisaged' and, presumably to address this, 'it has been agreed with the [Strategy] Committee to populate and review these indicators on an ongoing basis with a view to improving their relevance' (DJE 2019c, p. 18). In terms of the normative framing of the NSWG, there also appears to be some backsliding. Most notably, the original comprehensive framing of the strategy is absent from the review – that is, an understanding of the NSWG as endeavouring to meet international human rights obligations (especially CEDAW), advance gender mainstreaming (i.e., combining both targeted 'positive action' and integration across other policy areas), and apply an intersectional lens. Rather, the introduction to the midterm review describes the NSWG more narrowly as 'the policy framework on which the government's agenda and priorities in relation to the advancement of equality for women', while the non-binding UN 2030 Agenda for Sustainable Development is the only international platform acknowledged (DJE 2019c, p. 4).

Substantively, the lack of a focus on mainstreaming or intersectionality is evident in the nature of progress reported in the midterm review of implementation of the strategy. The most significant 'key achievement' highlighted (DJE 2019c, p. 9) is the HSE manual on responding to victims of DSGBV in 'vulnerable and at risk communities' (HSE 2019). Also noted under 'other developments' (DJE 2019c, p. 15) is the *Second National Intercultural Health Strategy 2018-2023* (discussed above), which contains several specific actions aimed at achieving 'equality of access to health services, particularly for women migrants and disadvantaged minority ethnic communities' (HSE 2019, p. 9). (Under 'initiatives promoting diversity and inclusion across various sectors', the insertion of 'Specific actions focusing on the participation in public life by Traveller and Roma women ... in the new *National Traveller and Roma Inclusion Strategy*' (ibid., p. 14) is listed as an achievement.) Apart from these developments, there is no mention of migrant or minority women in any other of the dozens of reported achievements in the NSWG midterm review, including in relation to: 'addressing violence against women' (DJE 2019c, pp. 9-10); the 'gender pay gap' (ibid., pp. 10-11); 'women's representation in leadership' (ibid., pp. 12-14); 'measures aiming to address poverty' (ibid., p. 16); 'promoting female entrepreneurship' (ibid., pp. 12-14), among others. Again, this is indicative of a failure to apply an intersectional lens and to mainstream 'migration integration' in Ireland's national gender equality and women's rights policy agenda.

Women, Peace and Security—Third National Action Plan 2019-2024

Women, Peace and Security: Ireland's Third National Action Plan for the Implementation of UNSCR 1325 and Related Resolutions 2019-2024 (hereinafter: WPS-NAP), is the state's second major policy framework that focuses exclusively on the advancement of women (in addition to the NSWG). It is specifically concerned with the equality and rights of women affected by conflict and has its roots in an international campaign which brought about UN Security Council Resolution 1325 (2000), the first such resolution to address the situation of women in armed conflict as an issue in its own right. Like the NSWG, the WPS-NAP is framed in international terms, as pivotal to 'Ireland's commitment to achieving the 2030 Sustainable development Goals

... [and] our obligations under the Convention on the Elimination of all forms of Discrimination against Women (CEDAW)', as well as 'a central element of our broader commitment to gender equality which is a priority in Ireland's foreign policy' (Government of Ireland 2019, p. 8). It also espouses an 'intersectional approach', recognising that 'Women are not a homogenous group and face many and varied forms of discrimination including being a member of religious, cultural, ethnic, LGBTQI+ and migrant communities and as a result of experiencing a disability' (Government of Ireland 2019, p. 16).

The WPS-NAP contains 110 actions across nine 'strategic outcomes' organised under four headings: prevention, participation, protection and promotion. Significantly, the WPS-NAP 'uniquely includes domestic commitments to support women and girls affected by the Northern Ireland conflict and the migrant population in Ireland [who have come] from conflict-affected settings (ibid., p. 8). In particular, one of nine strategic outcomes calls for 'Institutional mechanisms and services ... [to be] effectively coordinated and strengthened to ensure the protection, relief, recovery and rehabilitation of women in Ireland affected by conflict' (Government of Ireland 2019, Strategic Output 3.2, p. 18). Under this outcome there are 18 action commitments covering a range of specific needs including: ensuring 'consistency of services relating to psycho-social wellbeing across the Direct Provision Centres' (Output 3.2.1, p. 37); the 'development of a formal identification process for victims of human trafficking in liaison with critical stakeholders' (ibid., Output 3.2.2, p. 38); 'Prevention and investigation of Hate Crime emanating from gender and ethnicity causations' (ibid.); 'Roll out [of] a training programme for HSE staff ... [to support] effective responses to women from areas of conflict who have experienced ... [DSGBV]' (Government of Ireland 2019, Output 3.2.3, p. 41); continued 'support ... [of] NGOs providing ... services to women refugees, those seeking international protection and other migrant women who have experienced violence/conflict' (ibid.); and 'implementation of a Vulnerability Assessment for women seeking international protection in line with the EU Recast Receptions Conditions Directive' (ibid.).

The above list of action commitments is shows unusual breadth and specificity vis-à-vis different categories of migrant women and across a variety of government departments and policy domains. Also, in contrast to most Irish government action plans and strategies, the WPA-NAP includes reasonably specific progress indicators attached to each action. (For example, regarding the action relating to identification of victims of trafficking, one indicator is: 'Increased #N of female victims of Human Trafficking identified from conflict zones' (Government of Ireland 2019, Output 3.2.2, p. 38).) To some extent, therefore, the WPS-NAP, an ostensibly internationally-oriented and narrowly-focused policy framework, is evolving to compensate for gaps in the *National Strategy for Women and Girls* with respect to migrant women and *The Migrant Integration Strategy* with respect to women and gender, as well as the *Second National Action Plan to Prevent and Combat Human Trafficking in Ireland* and its lack of gender-sensitive actions.

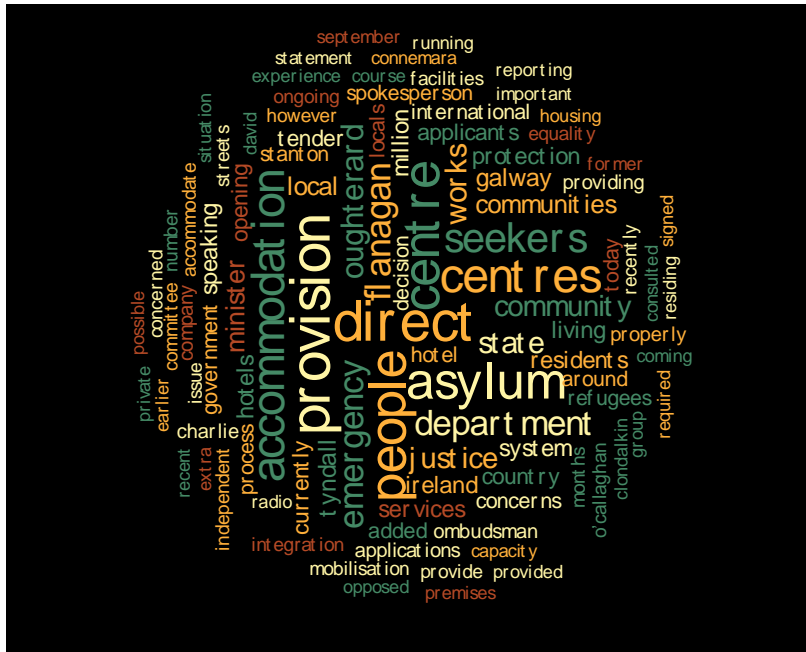
Part IV. Dominant narratives and media discourses

In order to provide a snapshot of dominant discourses about migrants in Irish media this section analyses a selection of online media publications around three prominent themes within Irish society relevant to the experience of migrants: 1) the Direct Provision system designed for asylum seekers, 2) the collective citizenship ceremonies that those becoming Irish formally attend and 3) the question of religious diversity in Irish schools since they are overall mostly run by the Catholic Church.

1. Portrayals of the Direct Provision system

This section considers seven recent online articles on the theme of Direct Provision (mid-September to mid-October) from three of the most consulted Irish newspapers: *TheJournal.ie*, *Irish Times* and *The Independent*. The question that dominated media coverage in September-October 2019 concerned the proposed opening of new Direct Provision facilities in Oughterard near Galway City, Galway County and in the more remote town of Ballinamore, County Leitrim, and the related protests of the respective local communities. A brief summary of that coverage per newspaper follows, and final paragraphs are dedicated to a commentary of the articles published across these three outlets.

TheJournal.ie, a newer wholly online paper that styles itself as ‘impartial’, focused mostly on the Oughterard case. Several articles reported on the polemic around the opening of a Direct Provision centre in a former hotel that had been closed for several years. The articles are constructed around the declarations of several stakeholders, including the Minister for Justice Charlie Flanagan, Ombudsman Peter Tyndall (whose office is responsible for considering complaints from members of the public about unfair treatment by public services), the owner of the hotel and representatives of the companies involved, as well as several TDs (Members of the Irish Parliament). Rumours about the opening of a DP centre triggered protests of the local community that led to the withdrawal of the tender by the owner of the hotel and the company managing the process (Thomas 2019a). Protests combined a critique of the DP system as inhumane, as well as an opposition to the potential arrival of asylum seekers into the community. The polemic brought Minister Flanagan to state that Direct Provision centres pose no threat to local communities (Halpin 2019). This series of articles also described the broader context of DP provision in Ireland, highlighting that the existing capacity has been reached with 6,000 asylum seekers in DP centres and over 1,300 in emergency accommodation in September 2019 (Duffy 2019). One article analyses the cost of the DP system and points to the financial inefficiency of resorting to emergency housing (Deegan 2019a). This critique is also formulated by Ombudsman Peter Tyndall who deplores the living conditions of asylum seekers within the current system and relates this situation to the wider housing crisis that affects Ireland (McGrath 2019a). Several TDs have taken stances against DP in the context of the Oughterard polemic, notably independent TD Noel Grealish, whose reported comments during the debacle were considered by many to be racist and who opposes receiving asylum seekers overall (Daly 2019). Another article reports on the delay taken for upgrade work in DP facilities more generally. It is worth mentioning that the planned works reflect the intention to progressively shift from DP to the Independent Living Model as recommended by High Court Judge Dr Bryan McMahon in a 2015 report (Ryan 2019), (such works were thus supposed to include the creation of cooking facilities for residents).



Source: Frequency query in Nvivo of online articles published by *TheJournal.ie* on the theme of Direct Provision in September and October 2019.

The *Irish Times* online (the web version of Ireland's long established urban/liberal broadsheet) covers very regularly questions related to the DP system. The coverage of an event on the eradication of poverty in Dublin starts out for instance by relating the accounts of families in DP who deplore the living conditions that allow for no family life and the administrative uncertainty that characterize their stay in such facilities (McGarry 2019). In relation to the opening of a DP centre in Oughterard, Galway County, the *Irish Times* foregrounded the role of far-right political agitators in steering protests among the local community by quoting the retired judge Bryan McMahon (Gallagher 2019a). The newspaper further documents the delicate process of opening DP centres through the example of the Oughterard case by quoting the Minister of State for Immigration who characterised the situation as a 'Catch 22' (Pollak 2019). The difficulty lies in the potentially conflicting interests that arise during the process: while the private owner of a facility might not be willing to publicize his/her engagement with the procurement office, the local community would want to be consulted before the tendering process is completed. The *Irish Times* also emphasizes the housing crisis unfolding in the background of the DP debates in Ireland, reporting the words of Judge McMahon who deemed the housing crisis the greatest obstacle to reforming the DP system (Gallagher 2019b). The *Irish Times* highlights the UNHCR's critique of the length of the asylum determination procedure and the consequent use of inadequate emergency accommodation for approximately 1,400 applicants; which the UNHCR representative also ultimately attributes to the Irish housing crisis (Gallagher 2019c; O'Halloran 2019).

The *Irish Times* equally ran a headline on Minister for Foreign Affairs Simon Coveney's commentary, that calling for the end of the DP system for asylum seekers amounted to 'not living in the real world' (PA Media 2019). The article foregrounded furthermore Coveney's warning not to play on fears of local communities, recalling the words of TD for Galway West Noel Grealish who described asylum seekers as "economic migrants" who "sponge" off the system. The *Irish Times*, in contrast to *TheJournal.ie*, reported on the inaugural national conference of the Movement of Asylum Seekers in Ireland (MASI). The Movement formulated several demands, calling notably for an immediate end to the DP system, the granting of a right to work and access to housing support via local authorities. The living conditions in the 34

emergency centres (i.e., hotels) across the country were discussed and the *Irish Times* quote a member of the MASI movement stating that people in emergency accommodation are left without information or access to vital services.



Source: Frequency query in Nvivo of online articles published by *Irish Times* on the theme of Direct Provision in September and October 2019.

Whereas *TheJournal.ie* and the *Irish Times* mostly publish online short articles revolving around quotations of politicians and other relevant stakeholders on the issue of the DP system, *The Independent*, a long-running centre-right leaning newspaper, published both articles reporting on a selection of declarations and articles more clearly framed as opinion pieces. The newspaper had a headline in mid-October on the worries expressed by local communities regarding the opening of DP centres in small communities. The article foregrounded local residents' fears, in several rural areas, as to the lack of infrastructure and public services to respond to the needs of asylum seekers (Gataveckaite 2019a). It conveys a feeling of crisis associated with imminent arrivals into communities that are not ready: 'Ballinamore will see 130 people move into the area in the next two to three weeks, while approximately 75 people will arrive in Borrisokane on Monday'. This article also reported on a public meeting held in Ballinamore attended by 150 persons raising their concerns. Shortages in healthcare services, education and transport featured among the main worries of the local residents. Another article, covering protests of local communities against the opening of a new DP centre, is entitled 'There's too many of them – two rural towns voice concern over "lack of services" ahead of arrival of asylum seekers' (Gataveckaite 2019b). In a similar vein to the previous one, the article highlighted the lack of social services to respond to the challenge of the new arrivals and provided an exaggerated number of 1,500 persons in emergency accommodation in October 2019.

Another *Independent* article related protests by local communities, and notably the and-DP mobilisation in Oughterard, to previous instances of arson attacks at other hotels intended to become DP centres in Moville, Co Donegal, and Rooskey in Co Roscommon, earlier in 2019 (McMahon 2019a). An article by Lorraine Courtney stands out in that it expresses clear-cut opinions about the DP system. In response to Minister Simon Coveney's comment that those calling for an end to Direct Provision are 'not living in the real world', the journalist provocatively asks: 'Other countries don't feel the need to detain and imprison asylum seekers for years and years, so why do we?' (Courtney 2019). Courtney deplores that the average waiting time for an interview is approximately 10 months, which she notes only signals the start of a process that can last a decade. Her argument also reproduced however some of the assumptions of far-right opponents to the asylum system as a whole in that she framed the challenge as one of sorting out 'the genuine refugee cases from the economic migrants'.

The Independent drew the readers' attention to the living conditions in the DP system by publishing a video and an article on a facility where 8 to 10 people were staying in the same room in the East End Hotel in Portarlinton, Co Laois (O'Connell 2019a). The article stressed the incongruity of this situation while the Department of Justice claims the average cost of one night of emergency accommodation to be about €100 per person. *The Independent* also reported on the MASI (Movement of Asylum Seekers in Ireland) conference and its call for an end to the Direct Provision system and reform of the asylum process (McMahon 2019b). While the *Irish Times* did also report on this event, its articles did not mention the comparison with the Magdalene Laundries made by Bulelani Mfaco, member of MASI, foregrounding the historic shame on the State. This argument is developed from a theoretical perspective by Ronit Lentin (2016) (as explored in Part II above). *The Independent* equally reports on MASI's reaction to Coveney's statement, which made the headline of another article: 'People calling for end to Direct Provision "not living in real world" – Coveney' (McMahon 2019a). Mfaco's response has been far less mediated than Coveney's words and it is worth reproducing it here: 'I find it appalling that he would say that and how ignorant he could be to the plight of people living in Direct Provision. It shows us how out of touch he and his Government are'.

Finally, within this selection of articles *The Independent* went into most details as to costs involved in Direct Provision, stating that the 2018 expenditure on DP reached €78m, a peak since 2010, and that the 2019 budget is set to exceed €120m as a result of a 50% increase in asylum applications (Deegan 2019b). The article frames the situation as an economic boom for operators in Direct Provision. The housing crisis is also cited to account for the fact that 855 persons who have obtained permission to remain in Ireland are unable to leave the DP system due to the lack of alternative affordable accommodation.



Source: Frequency query in Nvivo of online articles published by *The Independent* on the theme of Direct Provision in September and October 2019.

Overall, the media coverage across these three newspapers demonstrates the significant place that the DP system occupies in current media debates. All three newspapers published extensively online on questions related to Direct Provision (21 articles within 25 days for *The Independent*, 21 by *Irish Times*, and 5 for the *TheJournal.ie* over that period). Most articles addressed one or another aspect around the opening of new Direct Provision facilities, highlighting the saturation of the current system and the growing number of asylum seekers in emergency accommodation.

It is striking in the Irish context that mobilisation against DP centres utilised both a discursive repertoire of inclusion and rejection of asylum seekers. Slogans in the Oughterard demonstrations (as illustrated below) showed that part of the local community opposed the opening of a DP centre on the basis of the sub-par conditions of living that DP facilities are well-known for. At the same time, the protests seem to have also entailed elements of far-right political rhetoric (Anderson 2019).



Source: Courtney (2019).

A systematic word query conducted in Nvivo of the 21 selected news articles reviewed show that among the most common words used in these articles we find ‘communities’, ‘local’, ‘emergency’, ‘justice’ and ‘concerns’ (See Appendix E, Table 1). These five words arguably reveal the general frame within which Direct Provision is currently portrayed. Most articles emphasised a situation of emergency, with serious shortages in available rooms. Against the background of the mobilisation of the local communities in Oughterard, Galway and in Ballinamore, Leitrim, the question of the consultation with local communities where DP centres are to be opened was particularly foregrounded. The articles conveyed the many concerns expressed by local residents, yet most also engaged with questions of justice; justice to the asylum seekers as well as justice to the local residents. Justice for asylum seekers entailed in this regard the respect of Ireland’s commitment in terms of international protection as well as material conditions of living that undermine asylum seekers’ rights and dignity. The threat to justice for local residents that new DP centres could engender was presented in terms of lack of consultation, potential shortages in existing social services in rural areas, and in terms of financial burden to Irish taxpayers.

2. Citizenship ceremonies

This section relies on a selection of 12 articles from the three news sources *TheJournal.ie*, *Irish Times* and *The Independent*. Citizenship ceremonies are less frequently covered than the Direct Provision system, thus the chosen articles date from April to October 2019.

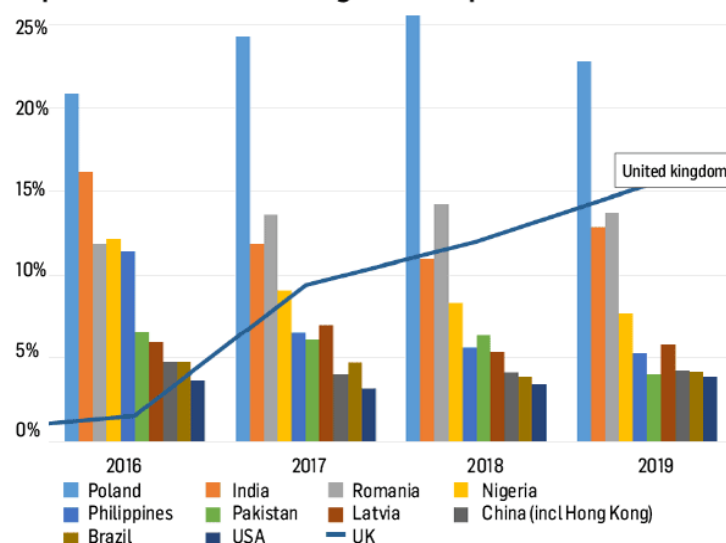
The four articles published online by *TheJournal.ie* around citizenship ceremonies over several weeks up to October 2019 reported on two main aspects: on the event itself of becoming an

Irish citizen, involving collective ceremonies where ‘Certificates of Naturalisation’ are granted; and on the polemic around a new High Court ruling that required citizenship applicants to have resided continuously in Ireland for the 12 months prior to their applications, with a restrictive definition of this continuity that excluded even one day of absence. The ruling by Justice Max Barrett in July 2019 stated that the one-year requisite period of residence in Ireland should be ‘unbroken, uninterrupted, connected throughout space or time’ (McCrave 2019). It is feared the ruling will cause additional delays in the processing of applications where the wait for a decision is already around two-and-a-half years according to solicitors. The article documented the case of a man from Sudan and of a woman from Serbia, caught in the protracted waiting stage of the application process and prevented from travelling in the meantime. As a result of the ruling, September and December 2019 citizenship ceremonies were postponed, while Justice Minister Charlie Flanagan considered drafting new legislation to address the problem created by the High Court’s ruling. The applicant in this case, Roderick Jones, an Australian citizen, went to the Court of Appeal, which is asked to either confirm or reverse the High Court ruling (McKinney 2019). In this context, *TheJournal.ie* put together a long list of Questions and Answers for its readers: ‘*TheJournal.ie* has spoken to lawyers, academics and immigrant rights’ groups to get some answers to the main questions people have about the controversial decision and what it means for Irish citizenship law’ (McGrath 2019b). Clearly the tone of the article seeks to be reassuring to current and future citizenship applicants: ‘This is not going to become settled citizenship law in Ireland and no one thinks this new legal situation is desirable. So while this ruling has created an unprecedented problem, the government is trying to fix it’ (ibid.). The Q&A article equally sends a message to those who have acquired Irish citizenship in the past years, judging it ‘incredibly unlikely’ that citizenship could be revoked for those already naturalised.

Previously to this legal polemic, a more classical headline around citizenship ceremonies concerns the event itself and a description of the ‘profile’ of the ‘new Irish’. In April 2019, *TheJournal.ie* reported for instance on a ceremony in which 2,400 people became Irish citizens (Thomas 2019b). With nationalities from 90 countries, the largest cohorts were applicants originally from Poland (406), the UK (309), Romania (218), India (186) and Nigeria (99). The article provided an overview as to the number of persons accessing Irish citizenship over the past years: since 2011, 122,000 (including children) were granted the Certificate of Naturalisation.

The Irish Times published an article focusing on the declarations of Bryan McMahon in his capacity as a citizenship ceremony judge, drawing attention to the rise of hate-speech and calling for a hate-crime legislation (Gallagher 2019d). The newspaper also reported on the July High Court ruling, indicating that 16,000 people find themselves ‘in limbo’ as applications are frozen consequently to the ruling (Falvey 2019). The article described the evolution of citizenship applications of the past years, with the number of British applicants clearly on the rise since Brexit.

Top 10 nationalities receiving citizenship 2016-2018



Source: Falvey (2019).

Importantly, the Department of Justice has already signalled its intention to draft legislation if needs be: 'The outcome of the appeal will have a bearing on whether or not legislation is required.' The article also clarified the different stages of a citizenship application to the Irish Naturalisation and Immigration Service (INIS), something applicants told the journal they were not aware of. This includes a first stage in which an applicant's eligibility to apply for citizenship is ascertained, requiring them to submit their passport to the authorities for a period of at least six weeks, but which anecdotally is reported to take longer. This is followed by an indeterminate stage 2 during which the applicant's 'good character' is investigated, and a final stage when the applicant's file goes to the Minister for approval or refusal.

The article goes on to report on the specific circumstances of several citizenship applicants, a British man owning a book shop in Dublin, a Syrian couple, a data scientist and software engineer, as well as *Irish Times* journalist Liam Stebbing of English origin. The case of the Syrian woman who is a data scientist employed by UNICEF demonstrates the paradoxical implications of the continuous residency criterion: as her professional position required a lot of travelling, she had to quit her job to comply with the rule. Another article on the same theme further detailed the number of applicants per year with figures released by the Department of Justice: 7,331 applied in 2018 and 5,220 in 2019 (Bray 2019). Still on the same theme, the *Irish Times* also published a piece by Kathryn Phelan, an US writer who has lived in Dublin since 2012 and had put in a citizenship application on the very day of the High Court ruling (Phelan 2019). Her story conveyed the confusion that the ruling created by putting the whole system on hold and generating high levels of uncertainty for applicants.

The four most recent articles published by *The Independent* around the acquisition of Irish citizenship concern the ceremonies themselves, including an article presenting in more detail a 'new Irish citizen', the racist stickers that were found near the Killarney Convention Centre and the alleged issue of 'sham marriages' as a route to Irish documents and citizenship. In October 2019 around 30 stickers stating 'You'll never be the Irish' and depicting people in Islamic and African outfit were placed near the Convention Centre where citizenship ceremonies take place (Lucey and Anderson 2019). A hotel owner in Killarney, Co Kerry, placed an official complaint and the Mayor, Councillor Niall Kelleher, condemned the racist action. The stickers were further condemned by the Killarney Chamber of Tourism and Commerce that emphasised 'the enormous contribution made by people from overseas' (ibid.). *The Independent* also reported on

the case of a British citizen living in Ireland for over 25 years, applying for Irish citizenship following Brexit (Buchanan 2019) as well as on the April 2019 citizenship ceremony, by briefly quoting the main figures that characterised the event (the same as mentioned above in relation to the longer article dedicated to this theme by *TheJournal.ie*) (Kelleher 2019). The newspaper also wrote about Operation Vantage that was launched by An Garda Síochána in 2015, following an increase in visa application by 52% between 2013 and 2015, to ‘investigate suspected marriages of convenience’ (Brady 2019). Though applications mainly concern residency based on marriage, the issue is framed in terms of potential access to Irish citizenship. Justice Minister Charlie Flanagan is quoted to have said ‘Since the introduction of citizenship ceremonies in 2011, over 120,000 have taken up Irish citizenship, and it is our duty, not least to our European partners, to ensure that our laws are not abused’ (ibid.). The article observed that applications numbers fell from 3,847 in 2015 to 2,658 in 2016, the first full year of the implementation of Operation Vantage.

Overall, the word query conducted on the 12 articles in Nvivo highlights the significance of the recent High Court ruling within media coverage around Irish citizenship (see Appendix E, Table 2). Words related to ‘continuous’, the controversial criterion that the High Court re-interpreted, appeared 24 times. The tension between the Court and the Justice Ministry on this matter explains the recurrence of ‘justice’, ‘minister’, ‘ruling’, ‘appeal’ and ‘legislative’.



Source: Frequency query in Nvivo, word cloud on the basis of 12 articles.

3. Multiculturalism in Irish schools

Religion and diversity are questions often debated in relation to the Irish education system given that around 90% of schools are owned and managed by the Catholic Church (McNamee 2018). This section relies on a selection of 11 articles from the same three news sources as the previous sections *TheJournal.ie*, *Irish Times* and *The Independent*. The theme of multiculturalism in Irish schools, though a long term recurrent debate, made fewer headlines overall, the selection of articles thus spans from 2015 to 2019.

In 2017 *TheJournal.ie* published a ‘Fact Check’ article on the question whether Catholic schools are more diverse. Interestingly, while the first version of the article concluded that this statement was ‘mostly false’ it was later corrected to ‘mostly true’. Against the background of on-going debates around admission criteria to Catholic schools and potential discrimination against non-Catholics, a representative of the Iona Institute, a conservative organisation described by *TheJournal.ie* as a Christian think tank and advocacy group, claimed that Catholic schools are more diverse in that they have more children from lone-parent families, children

from the Traveller community, and children from lower socioeconomic groups (MacGuill 2017). Based on evidence from 2007 and 2008, the article stated indeed that ‘Catholic school pupils had a greater tendency to be from less affluent and lower socio-economic backgrounds, and there was greater socio-economic diversity among pupils at Catholic primary schools.’ And yet, the situation is different in terms of migration and religious diversity and it is worth citing the study’s conclusions as reproduced in the article (ibid.):

- Multi-denominational schools were more likely to have a higher proportion of migrant students than both Catholic and minority faith schools
- 44% of Catholic primary schools and 41% of minority faith schools had no migrant students at all, compared to around 10% of multi-denominational schools
- Multi-denominational schools were less likely than Catholic or minority faith schools to have pupils of only one nationality.
- Among multi-denominational school pupils: 50% were Catholic, 19% were from “other” religions; 30% had no religious affiliation
- Among minority faith school pupils: 30% were Catholic, and around 70% were from “other religions”
- Among Catholic school pupils: 90% were Catholic.

More recent figures from the Department of Education indicate that 21.8% of Catholic primary schools are designated disadvantaged DEIS schools (Delivering Equality of Opportunity in Schools), as compared to 15.1% of multi-denominational schools and 6.7% of minority faith schools. DEIS is in this regard considered as a proxy for diversity in that DEIS schools are characterised by higher rates of ‘unemployment, lone-parent families, social housing and Traveller residency’. The article thus concludes that Catholic schools present greater socio-economic diversity and a higher proportion of Traveller students. Yet, overall multi-denominational schools had higher proportions of migrant children and children of different religious backgrounds. The answer to the question whether Catholic schools are more diverse thus depends on what counts as diversity. Finally, the article does not really address the fact that 91% of children in Ireland attend Catholic schools which might explain, to some extent, greater socio-economic diversity in Catholic schools overall (O’Kelly 2018).

Religious matters crystallize most of the debate around multiculturalism in Irish schools. Another article of *TheJournal.ie* reported that Education Minister Richard Burton insisted in 2018 that school inspectors ensure that students opting out from religion classes are taught a different subject and not left to do nothing during the religious education of other pupils (Finn 2018). Also in 2018, religion was not to be an admission criteria anymore with the Education Minister announcing the amendment of the Equal Status Act 2000 to ‘remove the so-called “baptism barrier”’ (McDermott 2018). Religion was equally at the centre of polemical assertions that children at Educate Together schools cannot celebrate Christmas (Thomas 2019c). *TheJournal.ie* reproduced extracts from a statement Educate Together released in response as they are in charge of a significant share of multi-denominational schools. Educate Together emphasized that schools celebrate various religious festivities ‘from a learning perspective, rather than from a promotional perspective’.

The *Irish Times* published an article in February 2015 drawing attention to the fact that ‘almost 80% of immigrant-origin children are educated in just a few schools’. The article raised the issue of admission processes since admission criteria were up to the schools if they were oversubscribed (Duncan 2015). A 2019 article of the *Irish Times* reported on a UNESCO study on bullying at schools revealing that appearance and race were the most common causes of

bullying across 144 countries (O'Riordan 2019). The attention dedicated to this study reveals a perception of Irish society as increasingly multicultural. The journalist turns to James O'Higgins Norman, director of the National Anti-Bullying Research and Resource Centre at Dublin City University, for comments: 'This is very concerning, especially for us here in Ireland as we become a more multicultural society'. The *Irish Times* also reported in 2019 on the persistent role of the Catholic Church in some state-run Education and Training Boards (ETB) multid denominational secondary schools as a result of agreements with the Catholic Church dating back to the 1970s (O'Brien 2019). This situation is explained in the article as resulting from the then Education Ministry not having 'clearly defined core values or a coherent position on the place of religion in their [ETB] schools'. This seems to be changing with Nessa White, the general secretary of Education and Training Boards (ETB), stating that 'Schools will ... be required over time to redevelop their vision and mission statements and related practices to ensure that while they meet the broad needs of the school community that they are in line with the core values of the sector.'

Reflecting the broader debate around the place of religion in admission procedures and curricula in schools, *The Independent* describes in March 2017 a report by Human rights commissioner Nils Muiznieks at the Council of Europe as 'hard-hitting' (Phelan 2017). The report recommended that the exemption to the Equal Status Act that allows state-funded schools to resort to religion as an admission criterion must be removed. Nils Muiznieks considered that the Irish State, under the current conditions, was not fulfilling its duty to ensure equal access of all children to mainstream education. He characterises the situation as a "de facto ethnic segregation" as students from minority ethnic background concentrate in DEIS schools. His report shed a significantly different light on the diversity of Catholic schools than the 2017 'FactCheck' article published by *TheJournal.ie* and summarised above. As reported by *TheJournal.ie* removing the so-called 'baptism barrier' was promoted by the Minister in 2017 (Donnelly 2017) yet *The Independent* did not report on the lifting of this barrier announced in 2018. *The Independent* in another article mentioned however a study by Equate (Equality in Education) according to which a quarter of their respondents 'felt they had to baptise their children to get them into the local school – they would not have had them baptised otherwise' (Walsche 2017).



Source: Frequency query in Nvivo, word cloud on the basis of 11 articles.

Across the 11 articles presented here it appears that the question of access to schools and diversity within schools is central in relation to migrant and minority ethnic children against the background of an education system still predominantly run under the auspices of the Catholic Church. The word query foregrounds that media coverage of Irish schools revolves around the question of the changing place of the Catholic Church, parents' decision-making process in relation to their children's schooling, and the schools' diversity. These themes form the socio-political context that led to proscription of religion as an admission criterion in 2018. More

research is needed on the role of the Catholic Church, other religious organisations, and religious ethos in schools in migration experiences – given that schools are a principal locus of integration – and how potential discrimination and the influence of certain religious values could affect migrant parents of school-going children, including in relation to GBV.

Part V. Conclusion

Over the last 25 years the demographic profile of Ireland has changed significantly from a country of just over 3.5 million people with a long history of high outward migration and a predominantly 'white Irish' and Catholic population, to a country of just under 5 million people enjoying net inward migration, where almost one fifth of the people were born outside of Ireland. Part I of this report presents an overview of the different nationalities represented among migrants coming to Ireland recently, noting that while migration appears to be gender-balanced overall, men comprise more than half of those seeking international protection with women and children together making up less than half of this subset.

Part II offers a review of academic literature on migration in Ireland from a gender perspective. This includes research that explores the experiences of selected larger groups of migrants in Ireland, such as those from Poland, Nigeria and Brazil, which underlines the diversity of migration journeys and motivations within each group and over time. Specific issues identified include: 'de-skilling', where migrants are prevented from working or can only secure work in areas of employment for which they are over-qualified; discrimination in seeking employment that is most pronounced for migrants of African descent; and the vulnerabilities of being undocumented, which have affected migrants from Brazil and others, particularly those engaged in seasonal agricultural or domestic work. This section also considers the profound implications of Ireland's 2004 Citizenship Referendum, which approved a proposal to change citizenship from an inclusive 'birthright', the entitlement of everyone born on the island of Ireland, to a qualified right that is dependent on parental nationality and residency requirements. The longer history of racism in Ireland manifested in the marginalisation of Irish Travellers, and more recently Roma, is also discussed. Other works reviewed criticize the dismantling in 2008 of the State's principal body for combatting racism and the inadequacy of the concepts of multiculturalism and interculturalism as they are used in the Irish migration context. The punitive nature of the direct provision system and the obstacles experienced by migrants in accessing healthcare also recur as major themes in the literature reviewed.

Part III presents a critical survey of the regulatory framework governing migration and migrants in Ireland, that is, the laws and policies that set limits and shape the life chances of different categories of migrants. Refugee law and policy are reviewed with a focus on failings in the state's mechanisms for the assessment of 'vulnerable persons' and its system of direct provision, particularly as these are encountered by protection applicants affected by gender-based violence. Migration law and integration policy are also examined, highlighting the problems that arise when a woman is undocumented or her residency is dependent upon a spouse or partner who is subjecting her to domestic violence. In either situation, the woman is unlikely to seek the assistance of authorities for fear of being deported. The requirement to comply with Ireland's 'habitual residency' condition in order to access social welfare supports comes up repeatedly as an obstacle to migrant women seeking safety from domestic violence.

Health policies and strategies are also discussed in Part II, especially the *Second National Intercultural Health Strategy 2018-2023*, which fosters strong engagement with migrant and minority ethnic women, while the maternity and sexual health strategies miss opportunities to do the same. Also reviewed are the policy domains of anti-racism and social inclusion. While the progressive, intersectional rhetoric of the former is encouraging, the lack of a dedicated governmental policy body to take action is a major weakness. The government's social inclusion funding programme (SICAP), having recently named 'disadvantaged women' (including migrant women) among its target populations, also gives some grounds for optimism. The legal frameworks for tackling GBV and trafficking in Ireland are also quite strong, especially since Ireland's ratification of the Istanbul Convention in 2019. However, the lack of research and systematic data collection, including by residence status and ethnicity, has been widely cited as

an obstacle to addressing GBV as it is experienced by migrant and minority ethnic women, while the state's failure to take steps to proactively identify victims of trafficking has also been criticized internationally. Finally there is a general problem of migrant women 'falling through the cracks'. For example, the *National Strategy for Women and Girls 2017-2020* contains no actions targeting migrant women but refers the reader to *The Migrant Integration Strategy: A Blueprint for the Future*, which does not contain a single action relating to migrant women either.

Part IV of this report gives a snapshot of dominant narratives and media discourses about migrants in Irish media based on analyses of a selection of online news sources regarding three prominent topics in Irish society relevant to the experience of migrants: 1) the direct provision system; 2) the collective citizenship ceremonies attended by those becoming Irish citizens; and 3) the question of accommodation of religious diversity in Irish schools, most of which continue to be run under the auspices of the Catholic Church and religious orders. Regarding the portrayal of Direct Provision centres, for example, a number of themes are evident. First, far-right, anti-migrant actors so far remain in the margins of the Irish political system. Such views when expressed by public figures tend to come from independent (non-party) members of parliament or small fringe groups. In this context, local community mobilisation against the establishment of direct DP centres presents itself as opposing direct provision as an 'inhumane system' rather than as opposition to migrants or asylum seekers per se, although news reports reviewed for this report acknowledge the presence or influence of far-right actors at recent anti-DP centre protests.

Second, the liberal-centre *Irish Times* and *TheJournal.ie* are inclined to foreground structural analyses of 'the problem', situating it in relation to wider poverty issues and the national housing/homelessness crisis, or as the result of too slow application processing, rather than advancing claims, typical of the far-right, of excessive numbers of migrants coming to Ireland to 'sponge' on the system or 'take Irish jobs'. Coverage by *The Independent*, however, dwells on the cost of DP, which can be a trope of the far-right in undermining public sympathy for migrants. More generally, *The Independent's* coverage tends to highlight the sensational or provocative aspects of the migration stories they cover, from acts of racism at a citizenship ceremony in County Kerry to the problem of fraudulent 'sham marriages' and calls from asylum seekers for the abolition of DP centres (thus, seemingly, concurring with the local community protesters).

Finally, there is a noticeable lack of a critical gender perspective across all coverage of these issues, which points to a need for greater, non-sensational coverage of gender-specific migration journeys and experiences, including in relation to GBV.

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Appendix A – Annotated list of key actors – Civil society groups and agencies

Migrant Organisations	Mission	Contact
Doras – promoting and protecting human rights	Doras is an independent, non-profit, non-governmental organisation working to support & promote the rights of migrants living in Ireland. Our core areas of work include direct support, advocacy & campaigns and integration planning.	Central Buildings, 51a O’Connell Street, Limerick. e. infor@doras.org t. 061 310 328 w. https://doras.org/
Immigrant Council of Ireland	The Immigrant Council of Ireland is a human rights organisation and Independent Law Centre. We support and advocate for the rights of immigrants and their families and act as a catalyst for public debate, legal and policy change.	2 St Andrew Street, Dublin 2 e. admin@immigrantcouncil.ie t. 01 6740202 w. https://www.immigrantcouncil.ie/
Irish Refugee Council	To create a just, fair and inclusive society for people seeking asylum. The IRC believes, in accordance with the 1951 Convention relating to the status of refugees, that every person has the right to claim asylum and to have their application considered in a fair and transparent manner.	37 Killarney Street, Dublin 1, D01 NX74 t. 01 764 5854 e. info@irishrefugeecouncil.ie w. www.irishrefugeecouncil.ie/
Jesuit Refugee Service	Promote improvements in the reception and integration of asylum seekers, refugees and migrants; Support non-Irish nationals who are in detention under immigration legislation; Advocate for a more just immigration system and asylum process; Foster a more positive public image of asylum seekers and migrants in Ireland and deepen public understanding of asylum and migration issues.	JRS in Limerick Della Strada, Dooradoyle, Limerick. t. 061 480922 Director: Eugene Quinn JRS in Dublin 54-72 Gardiner Street Upper Dublin 1 t.01 814 8644 Ass. Director: David Moriarty https://jrs.ie/
MASI (Campaigning Organisation)	MASI was formed after protests in the Direct Provision centres in 2014: ‘We believe that speaking together in one voice, moving together in one direction, we are much stronger, our voices much louder and more difficult to ignore and	t. 353 83 1713 166 e. info@masi.ie w. www.masi.ie/

	dismiss. Part of the purpose of direct provision and dispersal is to keep us apart, divided, ghettoised, our power stolen. For us, MASI is a way to take back our power and demand freedom, justice and dignity for all asylum seekers.'	
Migrant Rights Centre Ireland	A national organisation working to promote justice, empowerment and equality for migrants and their families. We ... focus on participation, leadership and empowerment, and ... policy changes – including the criminalisation of forced labour, the Bridging Visa for undocumented migrants, reversal of work permit changes, protections for domestic & agriculture workers, and reversing the minimum wage cut.	13 Lower Dorset Street, Dublin 1 t. 01 889 7570 e. info@mrci.ie w. https://www.mrci.ie/
NASC: the Migrant and Refugee Rights Centre	Nasc, the Irish word for 'link', empowers migrants to realise and fulfil their rights. Nasc works with migrants and refugees to advocate and lead for change within Ireland's immigration and protection systems, to ensure fairness, access to justice and the protection of human rights. Our goal is to realise the rights of all migrants and refugees within Irish society.	34 Paul Street, Cork, T12 W14H t. 021 427 3594 e. reception@nascireland.org w. https://www.nascireland.org/
Spirasi	Spirasi (Spiritan Asylum Services Initiative) is the national centre for the rehabilitation of victims of torture in Ireland. Multidisciplinary Initial Assessment (IA) for both victims of torture and those who have suffered cruel and inhuman or degrading treatment; Ongoing therapeutic interventions for victims of torture which includes individual, group and family therapies; Medical Legal Reports (MLRs) for the protection process; English language classes for victims of torture	213 North Circular Road, Dublin 7 t. 01-8389664 e. info@spirasi.ie w. https://spirasi.ie
Migration/Women Organisations	Mission	Contact
AkiDwA	To present the voice of migrant women and their families to the political and administrative system, the media and the public; Promote equality, integration and social inclusion ... addressing racism, discrimination, FGM and other health issues, domestic violence, and the situation of asylum seekers; Linking to the community of migrant women and their families, through capacity building, representation, grassroots activities and building social capital...	Unit 2 Killarney Court, Buckingham Street, Dublin 1, Ireland e. info@akidwa.ie t. (0)1 8349851 w. https://akidwa.ie/
Ruhama	Reach out and provide support services to women affected by prostitution and other forms of commercial sexual exploitation; Based on individual need, to offer assistance to explore alternatives to prostitution; Work to change public attitudes, practices and policies which allow the exploitation of women through trafficking and prostitution.	30-31 Camden St Lower, D2, D02 EC96. t. 01 836 0292 e. admin@ruhama.ie w. https://www.ruhama.ie/

Ethnic Minority/Anti Racism Organisations	Mission	Contact
Cairde – Challenging ethnic minority health inequalities	Community development organisation working to tackle health inequalities among disadvantaged ethnic minority communities from the continent of Africa; Eastern Europe and the Baltic states.	19 Belvedere Place, Dublin 1 t. 01 855 2111 e. info@cairde.ie w. http://cairde.ie/ Old St. Georges School, Hampton St., Balbriggan t. 01 8020785 e. balbriggan@cairde.ie; sarah@cairde.ie; marianna@cairde.ie
ENAR – European Network against Racism <u>Member organisations</u> <u>Ireland:</u> Africa Centre Ireland http://africacentre.ie/ Africa-Irish Development Initiative AkiDwA Balbriggan Integration Forum ENAR Ireland Immigrant Parents and Guardians Support Association Integration and Support Unit Link Africa 365 for Trade and Development	Pan-European anti-racism network that combines advocacy for racial equality and facilitating cooperation among civil society anti-racism actors in Europe. Works to end structural racism and discrimination across Europe and make a real difference in ethnic and religious minorities' lives. Set up in 1998 by grassroots activists on a mission to achieve legal changes at European level and make decisive progress towards racial equality in all EU Member States.	Secretariat, Brussels, Belgium. t. + 32 (0)2 229 35 70 e. info@enar-eu.org https://www.enar-eu.org/

Wesesha		
INAR – Irish Network Against Racism	The voice of anti-racism in Ireland. INAR is a membership organisation. A growing, national Network of diverse Civil Society Organisations committed to combating racism and all related forms of discrimination in every sphere of life in Ireland. We are dedicated to finding common strategies and policy positions for combating racism, finding ways of complementing each other's work, and to offering cross-community and cross-sectoral support and solidarity.	28 North Great George's Street Dublin 1 t. 01 8897110 e. info@inar.ie w. https://inar.ie/
Pavee Point Traveller and Roma Centre	A national NGO comprised of Travellers, Roma and members of the majority population working in partnership at national, regional, local and international levels. Mission is to contribute to improvement in the quality of life, living circumstances, status and participation of Travellers & Roma through working innovatively for social justice, greater solidarity, development, equality and human rights.	46 Charles Street Great Dublin 1 t. 01 8780255 e. info@pavee.ie w. https://www.paveepoint.ie/
GBV Organisations	Mission	Contact
Women's Aid	Women's Aid is a leading national organisation that has been working in Ireland to stop domestic violence against women and children since 1974. We work to make women and children safe from domestic violence, offer support, provide hope to women affected by abuse and work for justice and social change. Over the course of 40 years the organisation has built up a huge body of experience and expertise on the issue, enabling us to best support women and children and share this knowledge with other agencies responding to women experiencing domestic violence.	5 Wilton Place Dublin 2 t. 01 6788858 e. info@womensaid.ie Sarah Benson, CEO
Safe Ireland	Change social behaviour and attitudes; Establish a comprehensive response to domestic violence;... Expand the evidence base of causes, prevalence and impacts of domestic violence so we can deepen our understanding of the complexities of the problem; Communicate our understanding of the problem and enhance ... capacity to respond to it;... [Undertake] Training, public awareness campaigns ... work closely with 37 frontline services, throughout Ireland ...; provide direct specialist domestic violence services for women and children including refuge (Mayo).	Unit 5 Centre Court, Blyry Business Park, Athlone, Co. Westmeath t. 090 6479078 e. info@safaireland.ie w. https://www.safaireland.ie/

RCNI – Rape Crisis Network Ireland	As the representative body for member RCCs, the RCNI role includes the development and coordination of national projects including expert data collection, supporting Rape Crisis Centres to reach best practice standards, and using our expertise to influence national policy and social change.	Carmichael Centre, North Brunswick Street, Dublin 7, D07 RHA8 t. 01 865 6954 e. cliona@rcni.ie legal@rcni.ie/admin@rcni.ie w. https://www.rcni.ie/ Director: Clíona Saidléar
Local/Community Migration Integration Groups	Mission	Contact
Welcome English Language Centre (Cork)	Welcome English is a voluntary community organisation committed to meeting the English Language needs of immigrants who are registered in the Centre.	Mercy House, Crosses Green, Cork, Ireland t. 021-4316537 m. 0872281584 e. welcomeenglish@hotmail.com Centre Manager : Angela Murphy
Balbriggan Integration Forum Part of Cairde Balbriggan Integration Initiative, launched December 2013.	Aims to address common needs across all communities based on equality, equitable access, social-inclusion, human rights and responsibilities; challenge and ... respond to attitudinal and structural obstacles to full integration, particularly racism and/or social and cultural discrimination; develop ... networking opportunities and links between community groups, ... service providers and policy makers; organise ... educational, training, cultural and sporting activities...; encourage, support and enhance community development initiatives, business and employment opportunities; gather and disseminate relevant information...	t. 089-495-8737/018552111 e. Balbrigganif@gmail.com w. https://balbrigganintegration.ie/
Tralee International Resource Centre	The unmet needs of the male asylum seekers in DP had come to the attention of some of the agencies in Tralee, particularly the volunteer bureau, the women's resource centre, local doctors, the HSE and the Gardaí... [R]esearch highlighted the main issues were isolation and lack of information. Access to education and training was also highlighted, as well as the need to provide social, cultural and leisure opportunities.... In order to meet these needs, the Tralee International Resource Centre (TIRC) was established in Dec 2009, with the aim to organise	13-14 St Patricks Bungalows, Boherbee, Tralee t. 066 7127918 / 087 9822983 https://tirc.ie/

	activities and events to bring the asylum seekers and others together in a social space. (Received government migration integration funding).	
South East CTEC – The ELI Project (English Language for Immigrants) (Wexford)	The Community Training & Education Centre (CTEC) is a not-for-profit community organisation providing training for all sectors of society ... delivered from an adult education philosophy.... [including women only courses]. The ELI Project received government migration integration funding.	2nd Floor, Norse Gate House, St Peter's Square, Wexford, t. 053 9121036 e. info@ctecwexford.ie
The Lantern Intercultural Centre Greater Dublin Area, Kildare Town, Newbridge, Galway City	Asylum Seekers and Refugees Psychosocial and Educational Support Programme. This Project provides assistance to refugees and asylum seekers via: Assistance with gaining the necessary skills and qualifications that will enable them to access employment; Professional educational support, including long term tuition for the duration of courses and training; Professional guidance with job applications, interviews and placements; Support and advice services; Psychotherapy and psychotherapeutic support. Gender Equality Policy in place. (Received government migration integration funding).	15 Synge Street, Dublin 8 t. 01 4053868 e. bookingslantern@gmail.com w. http://lanterncentre.org/
Cultúr Celebrating Diversity – Migrant Integration and Anti-Racism Project (Meath)	This project aims to strengthen integration locally, provide needed support services for migrants and develop the capacity of local migrant groups to engage with decision makers and NGOs. The project will also explore issues of racism and develop relationships with organisations working in the area. There will be a focus on groups that are most vulnerable to racism and exclusion but also to work with the wider communities of they are part. CCD includes a minority ethnic women network. (Received government migration integration funding).	1st Floor, St. Anne's Resource Centre Railway St Navan Co. Meath. t. 046 9093120 f. 046 9073608 e. info@cultur.ie
Women's Organisations	Mission	Contact
NWCI – National Women's Council of Ireland	The NWCI's mission is to lead and to be a catalyst in the achievement of equality for women. We are the leading national representative organisation for women and women's groups in Ireland. A non-governmental, not-for-profit organisation, founded in 1973, we seek to achieve equality for women. We represent and take our mandate from our over 180 member groups from across a diversity of backgrounds, sectors and geographical locations. We also have a growing number of individual members who support the campaign for women's equality in Ireland. Key areas: Women in Leadership; Women's Right to Health; Women's Economic Independence; Care and Care Work; Working with young women	100 North King Street Smithfield, Dublin 7 t. 01 679 0100 e. info@nwci.ie w. https://www.nwci.ie/
AkiDwA	To present the voice of migrant women and their families to the political and administrative system, the media and the public; Promote equality, integration	Unit 2 Killarney Court, Buckingham Street,

	and social inclusion ... addressing racism, discrimination, FGM and other health issues, domestic violence, and the situation of asylum seekers; Linking to the community of migrant women and their families, through capacity building, representation, grassroots activities and building social capital...	Dublin 1, Ireland e. info@akidwa.ie t. (0)1 8349851 w. https://akidwa.ie/
Ruhama	Reach out and provide support services to women affected by prostitution and other forms of commercial sexual exploitation; Based on individual need, to offer assistance to explore alternatives to prostitution; Work to change public attitudes, practices and policies which allow the exploitation of women through trafficking and prostitution.	30-31 Camden St Lower, D2, D02 EC96. t. 01 836 0292 e. admin@ruhama.ie w. https://www.ruhama.ie/
Statutory Organisations		
IHREC – Irish Human Rights and Equality Commission	The IHREC is Ireland’s national human rights and equality institution. We are an independent public body that accounts to the Oireachtas, with a mandate established under the Irish Human Rights and Equality Commission Act 2014 (IHREC Act 2014). Our purpose is to protect and promote human rights and equality in Ireland and build a culture of respect for human rights, equality and intercultural understanding in the State.	16-22 Green Street, Dublin 7 t. 01 8589601 e. info@ihrec.ie w. https://www.ihrec.ie/

Appendix B – Diversity of population 2002-2016

Figure 5.6 Population of top 10 non-Irish nationalities usually resident in the State by size and census year



Source: CSO (2017a).

Appendix C – Estimated immigration by sex and nationality 2000-2018

Estimated Immigration (Persons in April) (Thousand) by Sex, Nationality and Year

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Both sexes											
Irish	24.8	26.3	27.0	17.6	16.7	18.5	18.9	30.7	23.8	23.0	17.9
UK (1)	8.4	9.0	7.4	9.1	7.4	8.9	9.9	4.3	6.8	3.9	2.5
EU15 excluding Irish and UK	8.2	6.5	8.1	8.8	13.3	9.3	12.7	11.8	9.6	11.5	6.2
EU15 to EU28 states	..	..	..	..	..	34.1	49.9	85.3	54.7	21.1	9.3
Other nationalities (16)	11.1	17.3	24.4	24.5	21.1	13.7	16.4	19.0	18.6	14.1	6.0
Male											
Irish	11.8	13.2	12.4	9.7	8.4	9.4	9.5	15.7	11.8	13.0	9.0
UK (1)	4.1	4.5	4.1	5.0	4.5	5.2	5.7	2.4	4.1	2.3	1.4
EU15 excluding Irish and UK	3.9	3.1	3.1	4.1	6.9	3.8	6.4	4.7	3.9	3.7	2.6
EU15 to EU28 states	..	..	..	..	..	22.9	30.7	47.5	24.8	10.8	4.6
Other nationalities (16)	6.4	9.3	11.7	12.6	10.7	6.1	8.0	9.6	9.4	7.0	2.8
Female											
Irish	13.0	13.1	14.6	7.9	8.2	9.1	9.4	15.0	12.0	10.0	8.9
UK (1)	4.3	4.5	3.3	4.0	2.9	3.7	4.2	1.9	2.7	1.7	1.1
EU15 excluding Irish and UK	4.4	3.5	4.9	4.7	6.4	5.5	6.2	7.1	5.7	7.9	3.6
EU15 to EU28 states	..	..	..	..	..	11.2	19.2	37.8	29.9	10.3	4.6
Other nationalities (16)	4.8	7.9	12.8	11.9	10.4	7.6	8.5	9.4	9.2	7.1	3.2

	2011	2012	2013	2014	2015	2016	2017	2018
Both sexes								
Irish	19.6	20.1	21.7	22.8	26.6	28.4	27.4	28.4
UK (1)	4.1	3.9	4.1	4.2	5.0	5.9	6.1	7.3
EU15 excluding Irish and UK	7.1	7.9	8.8	9.4	10.2	11.4	10.8	11.6
EU15 to EU28 states	10.1	7.7	8.3	11.1	12.2	13.2	10.9	12.2
Other nationalities (16)	12.4	17.7	19.8	19.0	21.9	23.6	29.4	30.9
Male								
Irish	9.9	9.1	10.5	9.9	11.9	14.4	14.1	14.1
UK (1)	2.2	2.0	2.3	2.0	2.5	3.3	3.3	3.8
EU15 excluding Irish and UK	3.4	3.6	4.4	4.3	4.6	5.2	5.2	5.4
EU15 to EU28 states	4.6	3.2	3.8	4.9	5.5	6.8	5.6	5.5
Other nationalities (16)	5.9	9.6	11.3	9.7	11.2	11.5	14.5	15.7
Female								
Irish	9.7	11.0	11.2	12.9	14.7	13.9	13.3	14.3
UK (1)	1.9	1.8	1.9	2.2	2.5	2.6	2.8	3.5
EU15 excluding Irish and UK	3.7	4.3	4.3	5.1	5.6	6.2	5.6	6.2
EU15 to EU28 states	5.5	4.5	4.6	6.1	6.7	6.4	5.3	6.7
Other nationalities (16)	6.5	8.2	8.4	9.3	10.7	12.1	14.9	15.1

Source: Retrieved from CSO database (<https://www.cso.ie/en/databases/>).

Appendix D – Applications and granting of protection status at first instance: 2018

	Applicants in 2018	Pending at end 2018	Refugee status	Subsidiary protection	Rejection	Refugee rate	Subs. Prot. rate	Rejection rate
Total	3,673	5,660	683	200	2,090	23%	6.73%	70.3%
<i>Breakdown by countries of origin of the total numbers</i>								
Albania	459	649	1	3	374	0.03%	0.1%	99%
Georgia	450	519	5	0	242	3%	0%	97%
Syria	333	66	389	1	4	99%	0.25%	1.75%
Zimbabwe	282	540	23	7	131	14%	4%	82%
Nigeria	251	409	9	1	170	5%	0.6%	94.4%

Source: IPO, February 2019. Subsidiary protection grants include 4 old subsidiary protection “legacy” decisions.

Gender/age breakdown of the total number of applicants: 2018

	Number	Percentage
Total number of applicants	3,673	100.0%
Men	1,902	51.8%
Women	914	24.9%
Children	840	22.8%
Unaccompanied children	:	:

Source: IPO, February 2019.

Published on *Asylum Information Database* (<https://www.asylumineurope.org>)

Appendix E – Online newspaper word use tables

Table 1 – Direct Provision

Word	N o.	Wtd. %	Similar Words
centres	153	2.22%	centre, centred, centres
direct	151	2.19%	'direct, direct, directed
provision	150	2.18%	provision, provisions
people	131	1.90%	people
asylum	119	1.73%	asylum
accommodation	98	1.42%	accommodate, accommodated, accommodates, accommodating, accommodation, accommodations
seekers	88	1.28%	seeker, seekers, seekers'
communities	66	0.96%	communities, communities', community
department	61	0.89%	department, departments
system	50	0.73%	system
state	48	0.70%	state, stated, states, state'
local	48	0.70%	local, locals
emergency	47	0.68%	emerged, emergencies, emergency, emerging
living	45	0.65%	lived, lives, living
justice	43	0.63%	justice
hotel	41	0.60%	hotel, hotels

country	38	0.55%	countries, country
concerns	34	0.49%	concern, concerned, concerning, concerns

Source: Words query conducted in Nvivo on the basis of 21 articles.

Table 2 – Citizenship Ceremonies

Word	Count	Wtd %	Similar Words
citizenship	114	2.21%	citizenship
applications	110	2.13%	applicant, applicants, application, applications
irish	81	1.57%	irish
court	54	1.05%	court, courts
ireland	46	0.89%	ireland
citizen	45	0.87%	citizen, citizens
ceremonies	42	0.81%	ceremonies, ceremony
residence	40	0.78%	residence, residency, resident, residents
people	39	0.76%	people, peoples
process	38	0.74%	process, processed, processing
justice	38	0.74%	justice
minister	37	0.72%	minister
ruling	33	0.64%	ruled, rules, ruling
applying	33	0.64%	applied, apply, applying
decision	30	0.58%	decision, decisions
years	30	0.58%	years
appeal	27	0.52%	appeal, appealed, appealing

legislative	25	0.48%	legislating, legislation, legislative
continuous	24	0.47%	continue, continued, continues, continuing, continuity, continuous, continuously

Source: Words query conducted in Nvivo on the basis of 12 articles.

Table 3 – Multiculturalism in Irish Schools

Word	Count	Wtd. %	Similar Words
schools	304	7.01%	school, school', schools, schools', schools'
education	73	1.68%	educate, educated, education, educational
catholic	70	1.61%	catholic, catholics
pupils	54	1.24%	pupil, pupils
children	53	1.22%	children
religion	41	0.95%	religion, religions
primary	38	0.88%	primary
parents	38	0.88%	parent, parental, parents
denominational	36	0.83%	denomination, denominational
students	36	0.83%	student, students
Irish	35	0.81%	Irish, Irish
report	35	0.81%	report, reported, reports
multi	33	0.76%	multi
together	27	0.62%	together, togethers
religious	26	0.60%	religious
faith	24	0.55%	faith, faiths
diversity	22	0.51%	diverse, diversity
bullying	21	0.48%	bullied, bullying

minister	20	0.46%	minister
minority	20	0.46%	minority
families	19	0.44%	families, family
admission	18	0.41%	admission, admissions
traveller	18	0.41%	traveller, travellers, travelling

Source: Words query conducted in Nvivo on the basis of 11 articles.

Appendix F – Index to national strategies and policies

HSE National Domestic, Sexual and Gender-Based Violence Training Resource Manual (2019) pp. 36, 39-40, 44

HSE – National Guidelines on Referral and Forensic Clinical Examination Following Rape and Sexual Assault (2018) p. 32

HSE Policy on Domestic, Sexual and Gender Based Violence (2010) p. 32

HSE – Second National Intercultural Health Strategy 2018-2023 (2018) pp. 30-32, 36, 43-44, 57

INIS – Policy Document on Non-EEA Family Reunification (2016) p. 29

INIS – Victims of Domestic Violence Immigration Guidelines (2012) pp. 29, 34, 40

McMahon Report (Working Group to Report to Government on Improvements to the Protection Process, including Direct Provision and Supports to Asylum Seekers, 2015) pp. 25-26, 28, 46-47

Migrant Integration Strategy (2017) pp. 30-31, 43, 45, 58

National Maternity Strategy 2016-2026 (2016) pp. 32-33

National Sexual Health Strategy 2015-2020 (2015) pp. 32-33

National Strategy for Women and Girls 2017-2020 (2017) pp. 37, 42-45, 58

National Traveller and Roma Inclusion Strategy 2017-2021 (2017) pp. 36-37, 43-44

RIA – House Rules and Procedures for Reception and Accommodation Centres (2019) p. 27

RIA Policy and Practice Document on Safeguarding RIA Residents against Domestic, Sexual and Gender-based Violence & Harassment (2014) p. 27

Second National Action Plan to Prevent and Combat Human Trafficking in Ireland (2016) pp. 41-42, 45

Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021 (2016) pp. 32, 38-39

Action Plan: Second National Strategy on Domestic, Sexual and Gender-based Violence 2016-2021 (2017) p. 39

Women, Peace and Security: Ireland's Third National Action Plan for the Implementation of UNSCR 1325 and Related Resolutions 2019-2024 (2019) pp. 44-45