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ACCESS TO CITIZENSHIP AND ITS IMPACT ON IMMIGRANT INTEGRATION

HANDBOOK FOR IRELAND

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Prepared by the Migration Policy Group in cooperation with
the Immigrant Council of Ireland

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INTRODUCTION

The project ‘Access to Citizenship and its Impact on Immigrant Integration (ACIT)’ funded by the European Fund for the Integration of Non-EU Immigrants provides a new evidence base for comparing different elements of citizenship in Europe.

The five consortium partners (the European University Institute, the Migration Policy Group, University College Dublin, University of Edinburgh and Maastricht University) have developed **four sets of citizenship indicators** on citizenship laws, their implementation, shares of citizenship acquisition among the foreign-born and naturalisation’s impact on integration for all 27 EU Member States, accession candidates (Croatia, Iceland, Former Yugoslav Republic of Macedonia, Turkey) and European Economic Area countries (Norway, Switzerland).

The outcomes of this research were presented to politicians, civil servants, members of civil society and academics in ten EU Member States (Austria, Estonia, France, Germany, Hungary, Ireland, Italy, Portugal, Spain, and the United Kingdom) in order to **use this information to improve their policies and practices**. Citizenship stakeholders were asked to share their insights about which factors influence naturalisation rates, on the impact of citizenship on integration, on past and future policy changes and on the political environment for citizenship reform. These ‘**national roundtables**’ were a key element of this research as the national stakeholders had the opportunity to interpret the results and give meaning to the numbers.

The Migration Policy Group produced this **handbook** based on the results from the citizenship indicators and the responses of national stakeholders at the national roundtable. It provides a snapshot of how the vast amount of data of this project can be used for national policy debates. All citizenship stakeholders, be they policymakers, academics, non-governmental organisations or others, can go online and create their own graphs, dig into the data and use this information for presentations, debates or publications. All the results are accessible through an **interactive online tool and comparative reports** at <http://eudo-citizenship.eu/indicators>.¹

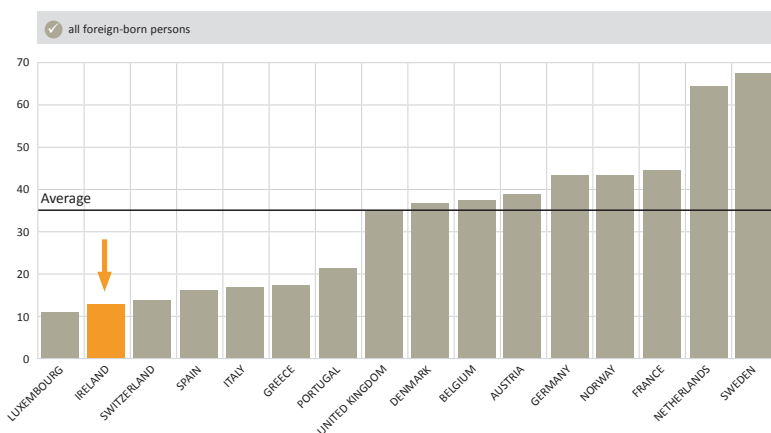
1 For more information on the background and methodology see appendix and visit <http://eudo-citizenship.eu/indicators>

1. CITIZENSHIP ACQUISITION INDICATORS: WHO BECOMES A CITIZEN?

How likely are foreign born immigrants to become citizens in Europe and how long does it take them? Citizenship Acquisition Indicators measure the share of foreign-born immigrants (aged 16-74) in 2008 that have acquired citizenship as well as the number of years between arrival in the country of residence and the acquisition of citizenship.² This figure refers to people born abroad as foreigners who immigrated to Ireland and then obtained Irish citizenship any time before 2008.

Overall, only 13% of foreign born immigrants have become citizens in Ireland. This share is significantly lower than the EU-15 average of 34%. The acquisition of citizenship varies considerably across the EU. Between 60% and 70% of foreign-born immigrants are citizens in Sweden and the Netherlands.

Share of citizenship acquisition among foreign-born immigrants in EU-15, Switzerland, Norway



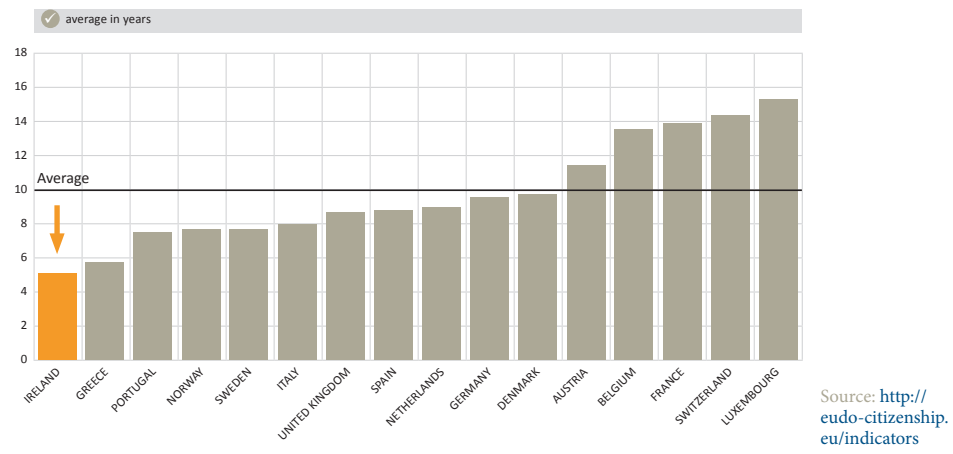
Source: <http://eudo-citizenship.eu/indicators>

The few foreign-born immigrants who were naturalised in Ireland by 2008 had done so after on average five years in the country, which is the lowest number of years among EU-15 countries.³ In EU-15 countries, Norway and Switzerland, it takes on average 10 years. Foreign born immigrants in Belgium, France, Switzerland, and Luxembourg take around 14 years to acquire citizenship.

² See methodological appendix for more information.

³ The majority of these naturalised persons had naturalised before 2005 after which point the post-nuptial declaration for foreign spouses of Irish citizens was abolished. Currently, the majority of people can only apply for citizenship after legal residence of a total of 5 years and, at least until the introduction of recent changes to the processing times with the government aiming to reduce waiting times to 6 months, did spend an additional 2-4 years waiting for a decision. Some groups, such as spouses and refugees can apply for citizenship earlier.

Speed of naturalisation in EU-15, Switzerland and Norway

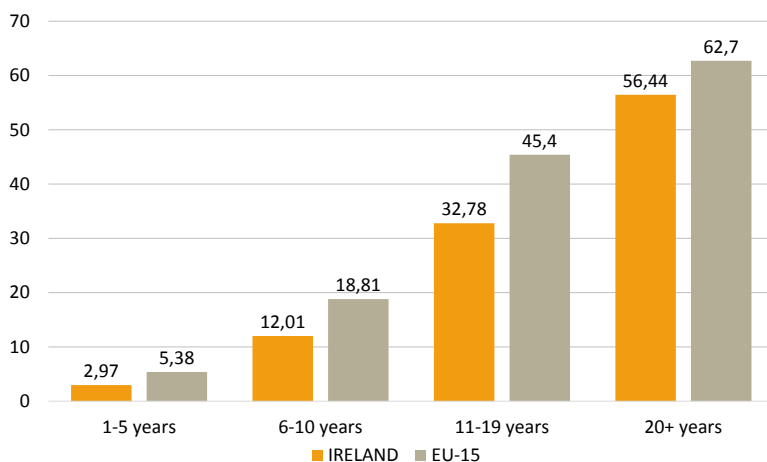


What explains why immigrants become citizens in Europe and how much time it takes? The analysis concludes that residence, immigrants' country of origin, gender, background (education, employment and family status among others), and policies are determining factors to apply for citizenship.

Residence matters: One reason for Ireland's below-average share of citizenship acquisition is the fact that Ireland is a relatively recent country of immigration. Our multivariate analysis⁴ shows that **the longer immigrants have settled in a country, the more likely they are to become citizens**. As in most other EU-15 countries, naturalisation rates in Ireland increase with residence in the country. The share of naturalised immigrants does increase over time in Ireland. However these levels are still lower than in the average EU-15 country.

4 See Vink/ Prokic-Breuer/ Dronkers (2012)

Shares of citizenship acquisition by residence



Source: <http://eudo-citizenship.eu/indicators>

Immigrants' background plays a major role. The foreign born population that immigrated from less economically developed countries tend to naturalise more often in Europe than immigrants from higher developed countries. Immigrants coming from medium and under-developed countries are on average 2.5 times more likely to be citizens than those coming from highly developed countries. Immigrants from less developed countries also take longer to acquire citizenship than immigrants from higher developed countries. Across EU countries, the role of immigrants' backgrounds can be reflected in the different results for EU and non-EU immigrants: Immigrants from outside the EU (on average from lower developed countries) are commonly much more likely to become citizens.

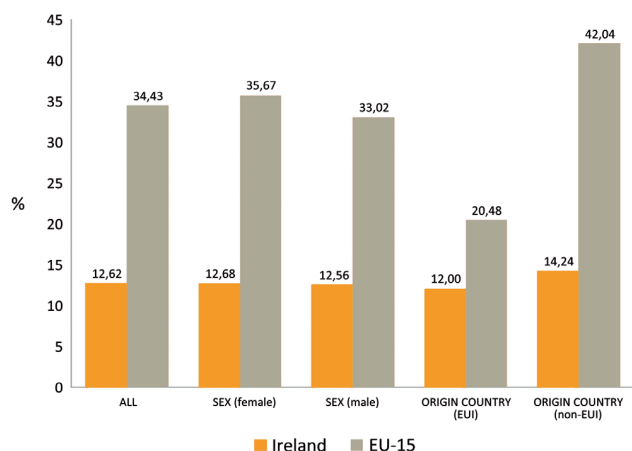
Ireland's low share of citizenship acquisition can be seen in the context of high numbers of EU/EEA citizens who are on average less likely to naturalise. In comparison, only Luxembourg has a lower share of naturalised immigrants than Ireland, something that might be explained by the high level of EU citizens into both Ireland and Luxembourg.⁵

However, interestingly the difference between the share of EU and non-EU immigrants that have become Irish citizens is rather small in Ireland (2.2%). This surprisingly small difference between EU and non-EU-born people is due to the generally low numbers of immigrants able to naturalise due to the policy, as we shall see. In comparison, this difference is larger than 30% in the Netherlands, Portugal, and the United Kingdom, where in general many more immigrants have naturalised.

Gender matters: Foreign born women in the EU are usually more likely to be citizens than men. However, the gender difference is marginal in Ireland.

⁵ With the total number of EU nationals resident in Ireland now standing at 386,764, they constitute just over 70% of the non-Irish nationals resident in the State.

Shares of citizenship acquisition by gender and country of origin



Source: <http://eudo-citizenship.eu/indicators>

Education, employment, family status and the use of language are additional factors that influence the acquisition of citizenship. Across most EU-15 countries, immigrants from less developed countries who have at least secondary education are about 42% more likely to naturalise than those with only primary education. This can partly be due to a selection effect of demanding language requirements for ordinary naturalisation in many countries. Immigrants from both developing and developed countries are more likely to be citizens if they speak the country of residence's language at home, if they are married, and if they are employed.

Policies matter: While these individual factors do play a role, **citizenship laws significantly influence how many immigrants become citizens because they determine the conditions under which immigrants can choose to naturalise.**

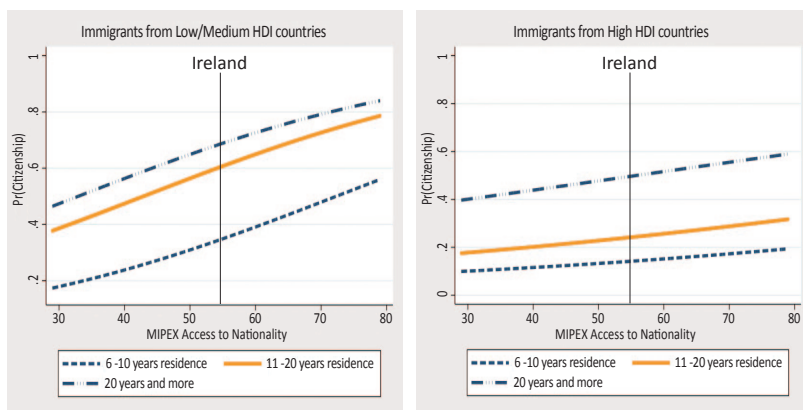
One example is the acceptance of multiple nationality: Immigrants from less developed countries that reside in EU countries that accept dual citizenship are 40% more likely to be citizens of the country of residence.⁶

More importantly, inclusive citizenship laws in the country of residence have a major effect on whether or not immigrants naturalise:⁷

⁶ Multiple nationality must be tolerated by both the country of origin and the country of residence.

⁷ Policies are measured by an adjusted score of the Migrant Integration Policy Index, see www.mipex.eu/

Probability of citizenship acquisition in EU-15 countries⁸



Source: <http://eudo-citizenship.eu/indicators>

This graph above shows how ordinary naturalisation laws for the first generation affect their uptake of citizenship on average in EU-15 countries, Norway and Switzerland. **Citizenship policies matter more for immigrants from less developed countries, especially for newcomers** (as the three lines in on the left are steeper than the lines for immigrants from higher developed countries on the right). As for immigrants coming from highly developed countries, they are not only less likely to acquire citizenship, but whether or not they do so also seems to depend on fewer factors that go beyond the time of residence in the country.

Although citizens of EU and other highly-developed countries are less likely to naturalise, non-EU citizens are likely to naturalise and often working, educated, and speak English at home. As newcomers settle long-term, many should qualify for citizenship in Ireland. Unfortunately, Ireland's restrictive ordinary naturalisation procedure is the major reason for its below-average naturalisation rate. Long, discretionary, and costly procedures discourage many eligible immigrants.

⁸ The horizontal axis in the graph represents the 'openness' of citizenship laws across EU countries. The vertical axis represents the probability that foreign born immigrants are citizens. This analysis used pooled data from the European Social Survey (2002-2010) available for 16 Western European countries (EU-15, minus Italy, plus Norway and Switzerland). The graph shows that citizenship laws have a different effect for immigrants from different countries and with different length of duration in the country.

2. CITIZENSHIP LAW INDICATORS: WHAT ARE IMMIGRANTS' LEGAL OPPORTUNITIES TO BECOME A CITIZEN?

Since citizenship policies significantly influence why more immigrants become citizens in one country and not the other, what are the legal opportunities and obstacles that they face in Europe? Citizenship Law Indicators describe and compare legal rules for birth-right acquisition, naturalisation and loss of citizenship across countries and over time. Indicators measure degrees of inclusion and individual choice on a 0 to 1 scale.⁹ The provisions of citizenship laws have different target groups, such as immigrants, native born, emigrants, family members of citizens or stateless persons. A score of close to 1 indicates that the legal rules are relatively inclusive for the respective target group or allow more choice of citizenship status to its members, whereas a score close to 0 indicates more exclusion or lack of individual choice.

Overall, Ireland's legal regime is more inclusive than in most EU countries, with the exception of loss of citizenship by renunciation.¹⁰

Citizenship by descent is unrestricted for children of Irish citizens born in Ireland. Children born to Irish citizens outside Ireland can acquire citizenship through registration (*ius sanguinis*).

Children born on the island of Ireland (*ius soli*) are entitled to citizenship if they are born to a person with no restrictions on the period of their residence in Ireland or the UK, or to a person with certain kinds of legal residence during three out of the last four years. Foundlings and children born without entitlement to another citizenship may also acquire citizenship through *ius soli*.

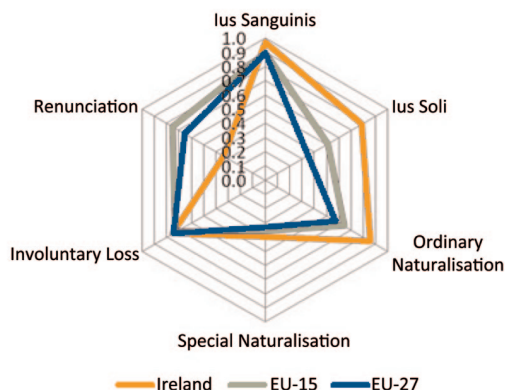
Only naturalised citizens can lose their citizenship due to permanent residence abroad (without continuing registration), voluntary acquisition of another nationality; failure in duty of fidelity to the nation and loyalty to the state, the possession of citizenship of a country at war with the state, or the provision of false information in procuring naturalisation (*involuntary loss*).

Ireland has more legal obstacles to renouncing citizenship than most EU countries, mainly because only citizens residing abroad may renounce their Irish citizenship (*renunciation*).

⁹ See methodological appendix for more information.

¹⁰ For a more comprehensive overview of Irish citizenship law see the EUDO country profile for Ireland available at <http://eudo-citizenship.eu/country-profiles/?country=Ireland>

Overall results of the Citizenship Law Indicators for Ireland



Source: <http://eudo-citizenship.eu/indicators>

Ireland provides preferential access to citizenship to certain groups based on their special ties or contributions to the country: spouses, children of Irish descent and others with 'Irish associations', refugees and stateless persons. Furthermore, the President may grant Irish citizenship as a token of honour to persons (and children and grandchildren of such persons) who, in the opinion of the Government, 'have done signal honour or rendered distinguished service to the nation'. Children adopted by citizens automatically receive Irish citizenship.

Ireland is on average slightly more restrictive on *family-based naturalisation* than most EU countries. There are currently no provisions for naturalised immigrants to transfer citizenship to children or spouses. The extension of citizenship to spouses or children requires three years of residence, which is more demanding than in many other EU countries. Citizenship can be transferred to a spouse if the person is married to a citizen of Ireland for three years and resident in Ireland with the spouse for three out of the last five years, including one year immediately prior to the application. However, this 'transfer' is not automatic and the granting of citizenship remains at the absolute discretion of the Minister for Justice and Law Reform. Furthermore, while there is no statutory requirement that children of naturalised Irish citizens must have been legally resident for three years prior to an application for naturalisation being made on their behalf, this is general requirement introduced by the Minister.

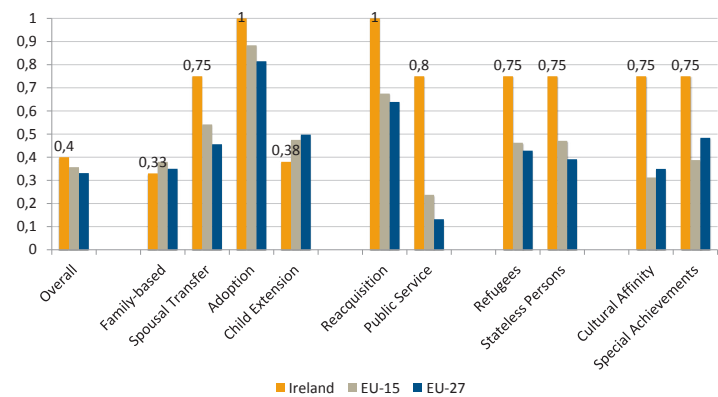
Ireland provides access to citizenship for persons of Irish descent or Irish associations¹¹ who have been resident in Ireland for four out of the last eight years, plus one year directly preceding the application (*cultural affinity*). They, like refugees and stateless persons, may, at the absolute discretion of the Minister, be exempt from all or any of the naturalisation requirements. In practice, persons granted refugee status in Ireland may apply to the Minister for a certificate of naturalisation three years

11 Definition in S16(2) of the Act of 'Irish association' as being related by blood, affinity or adoption to an Irish citizen. However, siblings of minor Irish citizens have not been able to benefit from the provisions of this section in practice.

after receiving their status. The decision to exempt a refugee from all or any of the naturalisation requirements as well as the decision whether to grant a certificate of naturalisation is taken at the absolute discretion of the Minister.

While there are provisions in the law for the naturalisation of stateless persons and the waiving of naturalisation requirements in respect of them, there is currently no determination procedure for statelessness. This means that there is no formal recognition of this status which brings to question who can benefit from the legal provisions for stateless persons.

Provisions for ‘special naturalisation’



Source: <http://eudo-citizenship.eu/indicators>

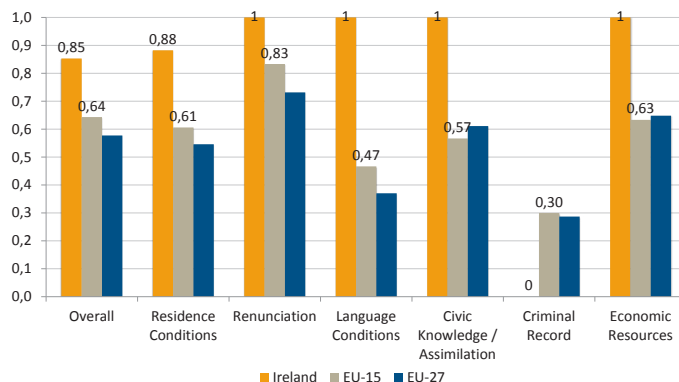
Ireland has fewer obstacles in the law to ordinary naturalisation than most EU countries do.¹² This is mainly due to the straightforward residence requirements and the absence of formal language, civic knowledge and economic resource requirements. For example, Ireland requires five years of residence in the country in the last nine years, including one continuous year prior to application. Also, Ireland – along with the majority of EU countries – does not require renunciation of a foreign citizenship. While the absence of a language requirement is indeed rare in Europe, a significant number of European countries studied follow Ireland in not imposing a civic knowledge or economic resource requirement (around half).

Ireland, the major legal obstacle is the vagueness of the ‘good character requirement.’ It has been judicially considered as meaning that ‘the applicant’s character and conduct must match up to reasonable standards of civic responsibility as gauged by reference to contemporary values’. Any criminal record or on-going proceedings (including civil proceedings) may be taken into account at the absolute discretion of the Minister to refuse citizenship. Even minor traffic offences have led to the rejection of applications even where there was no prosecution.

12 Ordinary naturalisation refers to ‘any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or his or her legal agent as well as an act of granting nationality by a public authority’ (EUDO citizenship glossary).

Although Ireland imposes no statutory economic requirement for naturalisation, the procedure involves an implicit economic requirement based on non-reliance on social assistance and the ability to be self-supporting in future, as revealed by this project's implementation indicators. This economic requirement is not exercised on the basis of publicly available guidelines or specific legal documents. Applicants are required to submit details regarding financial/employment records. Refugees and stateless persons may, at the absolute discretion of the Minister, be exempt from these discretionary economic requirements.

Provisions for ordinary naturalisation



Source: <http://eudo-citizenship.eu/indicators>

Results from the National Roundtable¹³

In light of the relatively inclusive laws in Ireland, the discussion at the national roundtables focussed mainly on the challenge of implementation rather than the law. The few legal obstacles mentioned in the debate include the 'good character requirement', a potential language requirement in the future and the limited access to citizenship for children born in Ireland whose parents are not themselves entitled to apply for citizenship¹⁴.

The way that the 'good character' requirement is interpreted, is not always proportional, clear and transparent. According to some participants, naturalisation claims were refused based on minor offences, such as traffic violations. In fact, persons without any criminal convictions have been refused naturalisation based on 'good character' grounds.

'You wouldn't revoke my citizenship if I got a traffic offence, something that small wouldn't have any effect on whether I'm entitled to being an Irish citizen. But for somebody that's applying for it that can be a serious factor. It's expecting of people a level of good character that isn't clearly defined, that is unattainable. In many cases you can't go through your life without having some issues. You might have some points on your license, you know, or your tax or insurance out of date for a week.'

¹³ The Irish national roundtable, organised by the 'Immigrant Council of Ireland', hosted one citizenship lawyer, two academic experts and 14 representatives of non-governmental organisations.

¹⁴ This is an issue affecting children of international students and others whose residence in Ireland is not 'reckonable' for the purpose of an application for naturalisation.

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

Although there have been no formal plans to introduce language requirements for persons applying for naturalisation, the Immigration, Residence and Protection Bill 2010, currently being re-drafted by the Government, required applicants for long-term residence permission to demonstrate a reasonable competence in the English or Irish language and to satisfy the Minister for Justice that they have made reasonable efforts to integrate into Irish society. If this proposal were to be retained in the forthcoming legislation, it would be surprising if it were not sought to introduce similar conditions for applicants for naturalisation.

'I mean when you travel with the passport to UK and if they stop you and ask a question, and I saw this just before Christmas when I was travelling with the family, and the man was asking 'Where are you coming from? Where you live in Ireland?'. The guy could not answer because he did not speak English even though he is a citizen.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

In the absence of any formal language requirement, some participants argued in favour of introducing a transparent minimum language requirement. Others emphasised that offering appropriate support to acquire language skills is more important than formal tests. It was the view of the participants that vulnerable groups such as refugees should be exempt from language requirements if it were to be introduced.

'I do think you have to be very, very careful with those kind of conditions though, I just think that there are plenty of people who for whatever reason may not be in a position or have the services available to reach a certain language level.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, citizenship lawyer)

'Apart from some community based resources, there are no free English language classes, there are no real resources provided to learn English funded by the state, you know, so I think that would probably be a very key factor if you're going to include language factors in determining it (citizenship), that it doesn't actually become another barrier to becoming a citizen, that it actually allows people the opportunity to raise to a certain level or allow themselves to gain the language.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

Minors that are not born in Ireland are not eligible to apply for citizenship unless their parents are themselves naturalised. This means that, unless their parents are eligible to apply for citizenship and successfully do so, immigrants that migrated to Ireland when they were young children have to wait until they are 18 years old to apply for citizenship. As a result of this regulation, many immigrants have to pay non-EU rates for university education even though they have been living in the country for a significant part of their lives. Even if 18 year olds are in the process of obtaining Irish citizenship, they are liable for non-EU fees if they have not received confirmation yet. According to roundtable participants, this disadvantage could be remedied by providing better naturalisation opportunities for children, for example, through socialisation-based procedures, as exist in countries such as France and Sweden.

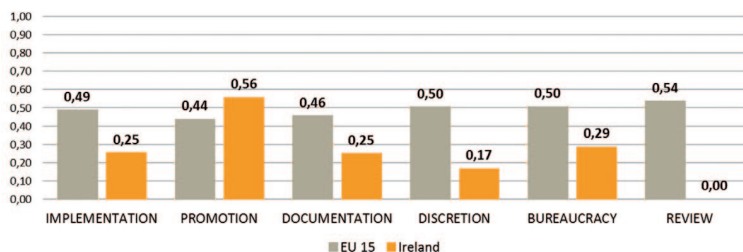
3. CITIZENSHIP IMPLEMENTATION INDICATORS: WHAT ARE THE PROCEDURAL OBSTACLES TO ORDINARY NATURALISATION?

Opportunities created by the law may be undermined by problems in the procedure. Creating indicators is one way to measure the major opportunities and obstacles in the procedure. Citizenship Implementation Indicators measure on a 0 to 1 scale the formal aspects of the ordinary naturalisation procedure: promotion activities, documentation requirements, administrative discretion, bureaucratic procedures, and review and appeal options. 38 indicators compare all implementation stages, from efforts by public authorities to inform applicants to the options to appeal a negative decision. A score of 1 means that the country facilitates naturalisation and involves few practical obstacles. A score of 0 reflects a procedure with little facilitation and many practical obstacles.¹⁵

In the majority of countries there is a link between the policies and the way that they are implemented. In general, countries that have more legal obstacles also tend to have more practical obstacles in the procedure and vice-versa.

In contrast, **Ireland's favourable naturalisation law is undermined by unfavourable implementation procedures.**¹⁶ Providing the required documentation is more demanding in Ireland than in most EU-15 countries. Ireland's ordinary naturalisation procedure is more discretionary and bureaucratic than in most EU-15 countries.

Overall results of Citizenship Implementation Indicators



Source: <http://eudo-citizenship.eu/indicators>

Promotion

The current Irish government is doing more to promote naturalisation than has been done in recent years in Ireland or most EU-15 countries, where promotional measures are a relative area of weakness. The Irish government has started funding the Citizenship Application Support Service (CASS) that provides legal counselling and application checking through an NGO. The website of the Irish Naturalisation

¹⁵ For more information see appendix and visit <http://eudo-citizenship.eu/indicators>.

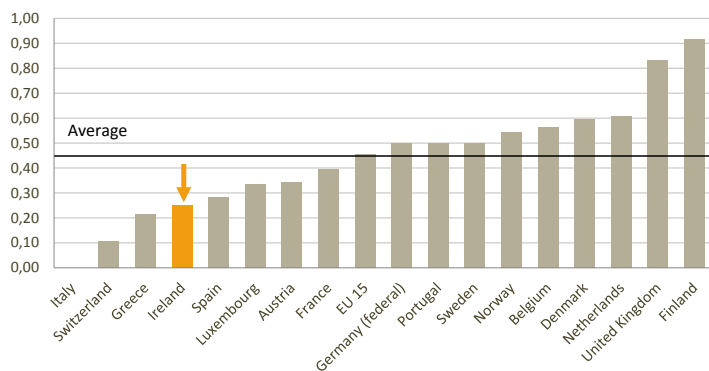
¹⁶ For a more comprehensive overview of citizenship procedures in Ireland see EUDO country profile for Ireland available at <http://eudo-citizenship.eu/country-profiles/?country=Ireland>

and Immigration Service (INIS) provides basic information. Ireland also promotes citizenship acquisition through citizenship ceremonies that involve public dignitaries and the media. However, **the application costs, coupled with the high additional fee for the naturalisation certificate, are a major deterrent for immigrants and higher than in nearly all other European countries.**

Documentation

The documentation in Ireland is more demanding than in all EU-15 countries except Italy and Greece. While authorities automatically obtain information on criminal records and investigations involving the applicant, the process of checking previous identity cards, residence permits, and income records can lead to several years of delay in the procedure. In addition, birth certificates and passports have to be officially translated and certified. This can result in additional costs and waiting time for the applicant.

Documentation in EU-15

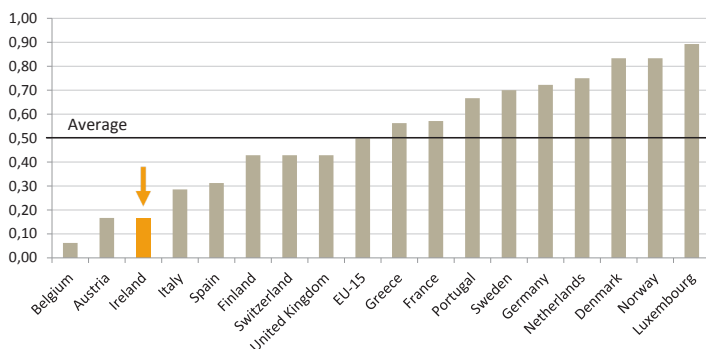


Source: <http://eudo-citizenship.eu/indicators>

Discretion

At the start of 2013, Ireland and Austria had the most discretionary naturalisation procedures in the EU-15, since the Belgian parliament passed a reform eliminating the discretion. According to the Irish Naturalisation and Immigration Service, naturalisation is a ‘privilege and an honour and not an entitlement’. **Citizenship is granted at the absolute discretion of the Minister for Justice and Law Reform.** The Minister enjoys the power, if he thinks fit, to grant an application in a number of cases, even though some or all of the conditions for naturalisation are not complied with. Prior to the Supreme Court judgment in *Mallak v MJELR* it was the general practice of the Minister not to provide reasons for the refusal of naturalisation. However, this is set to change following the judgment, in which the Court held that ‘*it is not possible for the appellant, without knowing the Minister’s reasons for refusal, to ascertain whether he has a ground for applying for judicial review and, by extension, it is not possible for the courts effectively to exercise their power of judicial review*’. Additionally, clear publically-available guidelines are missing to interpret an applicant’s ‘good character’ and economic resources.

Discretion in EU-15



Source: <http://eudo-citizenship.eu/indicators>

Bureaucracy

In June 2011, the Minister for Justice and Law Reform announced a number of changes to the citizenship application processing regime. Applications would be dealt with within a period of six months. New application forms – replacing the previous “unnecessarily complex and obtuse” forms – were to be introduced to reduce faulty applications. Other steps to improve the processing time for applications were to include streamlined and accelerated checking procedures for certain categories of applicants.

Despite recent improvements, there are still no formal legal time limits for the procedure and the involvement of a number of different authorities in the process can lead to long waiting periods.

Review

As of 2013, Ireland is the only EU15 country without a clear right of appeal for naturalisation. Nearly all EU countries, including most recently Belgium, grant the right to a reasoned decision and the right to appeal. In nearly all most EU countries, rejected applicants can appeal to lower and highest national courts. Appeals can include both substantive and procedural aspects.

Results from the National Roundtable

‘Absolute discretion’ of the authorities is the major problem in the Irish naturalisation procedure that was highlighted in the national roundtable. Policies and conditions are often not clearly defined or made public.

‘We need to know what are the criteria or policies that the decision makers are relying on when they’re making decisions, and at the moment in Ireland, we don’t know those decisions and the Department of Justice are refusing to give out that policy. We know they have it, but they’re not giving it to us. And it’s already been found in the UK last year by the Supreme Court that any decision made by the Home Office on any policy that wasn’t provided to the applicant that decision is defective and unlawful and has to

be quashed. So we're trying to get that going in Ireland to do with the courts and we're currently taking cases into the High Court challenging any decision we see that they haven't provided the applicant with the policies. Transparency is key and that's one of the ways we're looking for it.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, citizenship lawyer)

'I did have an experience as a student applying for a J1 visa in the states and I was refused, and they didn't tell me why and they didn't have to tell me why and I applied again the following year and they refused and they did tell me why. They told they refused because I was refused the previous year.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

Several participants have stated that discretion often leads to perception that it is more important to know the right people than to meeting the legal requirements.

'Unless the structures are defined you have discretion, and once you have discretion I'm very conscious of the fact that it depends on who you have contacts with then. Like the previous lady said there was a private intervention on her behalf in the Dail (Parliament). Now, when you have private interventions, it becomes a little club where only some people succeed.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, independent, immigrant)

The bureaucracy was seen as the second major issue in the naturalisation procedure. Hardly any information is given during the procedure about the status of the application. Several different staff may process the application. Family members are processed separately and independent of each other.

'One of the really frustrating things is not being able to go somewhere to see what stage your application is at (...). You don't know if it's been forgotten about, you don't know if it's been put on hold for a reason, you don't know if it's at the bottom of the pile. They (immigrants) are even afraid to do that, even if they have the contacts, because they're afraid that if they ask the question at the wrong time, it'll put their application right back to the bottom of the list again.'

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

In response to arbitrary decisions on naturalisation, many participants highlighted the need for an appeals system which is still absent in Irish law.

In one case, a child was living in Ireland almost all of its life. And then because he was the child of migrant workers she was registered from the age of 16, and then at the age of 18 he applied for naturalization. He was turned down because he was only two years registered in the state as opposed to five. And there's no appeal to this, so now he has to wait for another three years.

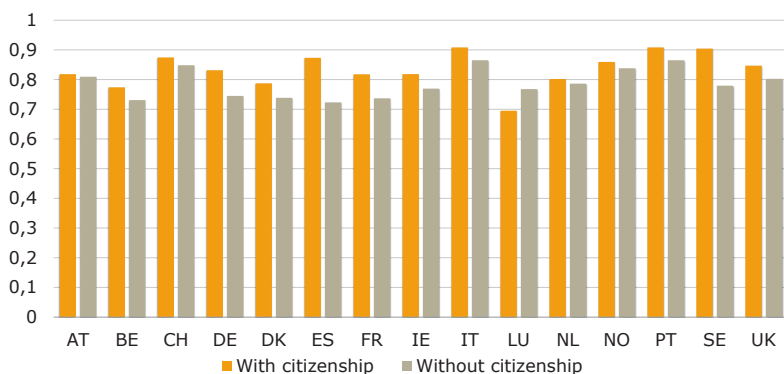
(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

3. CITIZENSHIP INTEGRATION INDICATORS: DOES CITIZENSHIP MATTER FOR INTEGRATION?

Are naturalised immigrants better off than immigrants that have not acquired citizenship? Citizenship Integration Indicators compare labour market participation and socio-economic status of native citizens, naturalised citizens and non-citizens based on the 2008 Labour Force Survey and EU Statistics on Income and Living Conditions. Ten core indicators measure levels of integration in the EU-27 countries, Iceland, Norway and Switzerland with regards to the citizenship status of migrants. Indicators are organised into three categories: labour force participation, social exclusion, and living conditions.¹⁷

In most countries, immigrants who have naturalised are often better off than immigrants who have not naturalised, even after taking into account the differences in age at arrival in the country, residence, education, the region of origin, the region of the destination country and the reason for migration.

Employment of foreign born immigrants after statistical controls



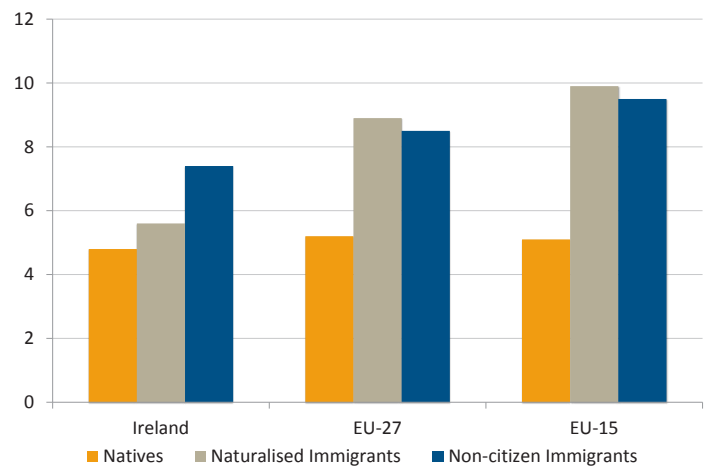
Source: ACIT
conference
presentation

On average, the difference between naturalised and non-naturalised is particularly high for immigrants from non-EU countries. Naturalised migrants are more often employed, less often overqualified for their jobs, have better housing conditions and have less difficulty paying household expenses.¹⁸

¹⁷ The handbook features a selection of Citizenship Integration indicators. For more information see appendix and <http://eudo-citizenship.eu/indicators>

¹⁸ For more information see OECD (2011) 'A passport for the better integration of immigrants' and Citizenship Integration Indicators at <http://eudo-citizenship.eu/indicators>

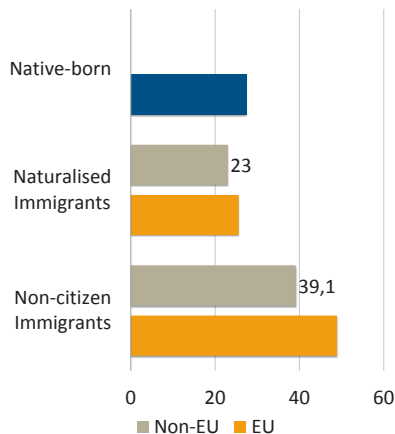
Unemployment Rates, Ireland 2008 (%)



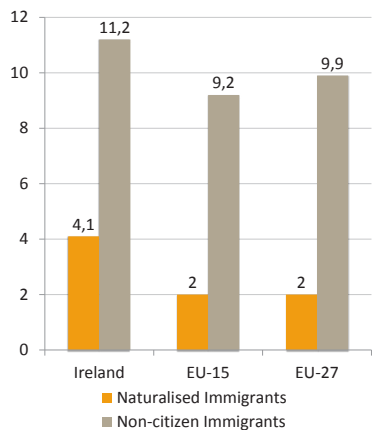
Source: <http://eudo-citizenship.eu/indicators>

In Ireland, the unemployment rate is roughly 10% higher for immigrants who have not become citizens compared to the ones that have.

Overqualification Rates, Ireland, 2008 (%)



Housing Cost Burden, Gaps with Natives, 2008 (%)



Source: <http://eudo-citizenship.eu/indicators>

Immigrants that have not naturalised are 16% more likely to be overqualified on the Irish job market. Naturalised immigrants are also more likely to pay a smaller share of their income for housing.

In Ireland, like in most of Europe, better outcomes for naturalised immigrants seem to be a sign that ‘better integrated’ immigrants are more likely to acquire citizenship, irrespective of how inclusive or restrictive a country’s citizenship policy is. While immigrants from less developed countries are more likely to apply, among them, the ‘better integrated’ do. Thus, the most integrated immigrants become citizens regardless of how demanding the naturalisation requirements are.

But does the acquisition of citizenship itself actually improve integration outcomes? Does the policy select the best ‘integrated’ immigrants or do only the best ‘integrated’ immigrants apply regardless of the policy? Do naturalised immigrants usually have better living conditions because they have acquired citizenship or is it more common for people with better living conditions to apply for citizenship?

More national and international research is needed to clarify the effects of citizenship and better address why naturalised immigrants often have better integration outcomes. Researchers need panel data to answer this question about causality. Several studies that have used panel data analysis have found a positive effect of citizenship on labour market participation in Germany, France and the United States.¹⁹ This project found also that, although political participation increases mainly with length of residence, citizenship status makes it more likely that first generation immigrants will also engage in less conventional forms of participation, such as wearing a campaign sticker, signing a petition, taking part in a demonstration or boycotting certain products.

Results from the National Roundtable

Due to immigration (especially from outside the EU) as a recent phenomenon in Ireland, there is a need to think more conceptually about what Irish citizenship means. This includes its role for integration but extends to larger questions of society. Several participants stated that the broader society should engage in a wider debate about what it means to be Irish, what it means to belong and what it means to be a citizen.

But then I think that whole issue of belonging is really a question that’s not just for immigrants; it’s a question for society as a whole. I think it’s really important for the debate about the belonging that the responsibility around that debate goes back into society as a whole. Because it is a really important discussion, and it’s important that immigrants are one aspect of that, but there’s a whole load of other issues in terms of belonging where we need a representation of our own identity in society as a whole to feel we belong.

(Participant of the ACIT National Roundtable in Dublin,
16 January 2013, NGO)

19 For more detail, see the OECD publication ‘A passport for the better integration of immigrants?’ (2011).

KEY RESULTS

1. In Ireland, citizenship is granted at the absolute discretion of the Minister. This leads to a lack of transparency of conditions and unequal treatment of applicants with particular regard to the interpretation of the 'good character' and economic resource requirements.
2. There are no statutory exemptions from the standard eligibility criteria or provisions for waiving the application and/or grant fee based on particular vulnerability, for example for single parents or persons with disabilities.
3. Migrants who have been refused citizenship do not have access to a formal appeal system to challenge the negative decision and to date the policy of the Minister has been not to provide reasons for the refusal of applications.
4. Despite recent improvements in processing applications more quickly, not processing family applications jointly and sub-optimal communication between departments and authorities can cause severe delays in the procedure.
5. Comprehensive disaggregated data on citizenship applications and decisions are not published and public access to information on the citizenship process is limited.
6. Children under 18 who were not born in Ireland and are now in State care cannot apply for naturalisation unless a guardian or a person acting in loco parentis has been appointed.

METHODOLOGICAL APPENDIX

CITIZENSHIP ACQUISITION INDICATORS

Citizenship Acquisition Indicators have been developed by Maarten Vink (Maastricht University/ European University Institute) and Tijana Prokic-Breuer (Maastricht University). Acquisition indicators have been calculated for 25 European states. The data source for the indicators is the Labour Force Survey Ad Hoc Module 2008 on the labour market situation of migrants and their descendants (Eurostat). The target population includes all persons aged between 15 and 74 (or 16 to 74 in countries where the target group for the core Labour Force Survey is from 16 years old). All numbers presented are based on at least 100 respondents.

Data is presented for the following European countries: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. In Germany, information on country of birth is missing for all respondents. To determine the region of origin (EU or non-EU), the study uses the country of birth of the father and/or mother of the respondent. There was no data provided by Eurostat for Finland. Data was excluded for Bulgaria, Malta and Romania due to small sample sizes.

Acquisition indicators analyse several factors, including

- **sex** (the percentage of foreign-born females and males who have acquired citizenship of the respective country of residence),
- **origin** (the percentage of foreign-born persons from EU and non-EU countries who have acquired citizenship of the respective country of residence)
- **the age at migration** (the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the age at which the respondent took up residence; age groups: 0-17 years; 18-39 years; 40+ years)
- **years of residence by cohort** (the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the number of years of residence: 1-5 years; 6-10 years; 11-19 years; 20 + years)
- **years of residence by minimum number of years** (the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the number of years the respondent has minimally resided there: at least 5 years; at least 10 years; at least 15 years; at least 20 years)
- **the time until naturalisation** (the numbers of years it takes on average for foreign-born persons to acquire the citizenship of the respective country of residence)

For more information visit:

<http://eudo-citizenship.eu/indicators/citacqindicators>

CITIZENSHIP LAW INDICATORS

Citizenship Law Indicators have been developed by Rainer Bauböck (European University Institute), Iseult Honohan and Kristen Jeffers (University College Dublin) in consultation with Maarten Vink (University of Maastricht) and Thomas Huddleston (Migration Policy Group).

Basic indicator scores have been calculated on the basis of a list of substantive and procedural requirements for each mode of acquisition or loss of citizenship using both additive and weighting formulas. The scoring is based on EUDO CITIZENSHIP's qualitative databases on [modes of acquisition](#) and [loss](#) of citizenship, on the detailed country reports and additional information from standardised questionnaire answers by legal experts in the respective countries.

Citizenship indicators are aggregated at different levels in order to analyse more general features of citizenship laws. The six highest level indicators that are calculated using all 45 basic indicators are: *ius sanguinis*, *ius soli*, residence-based ordinary naturalisation, naturalisation on specific grounds, voluntary renunciation and withdrawal/lapse.

These indicators have been calculated for 36 European states. The following labels are used for average indicators: EUROPE for all 36 states, EU 27 for all 2012 member states of the EU, EU 15 for the pre-2004 EU member states and EU 12 for the post-2004 accession states. Citizenship Law Indicators are based on citizenship laws at the end of 2011. In the future, it is foreseen to offer a new edition for past years that allow analysing trends over time.

For more information visit:

<http://eudo-citizenship.eu/indicators/eudo-citizenship-law-indicators> where you will also find a comprehensive [methodology report](#).

CITIZENSHIP IMPLEMENTATION INDICATORS

Citizenship Implementation Indicators have been developed by Thomas Huddleston (Migration Policy Group).

Citizenship Implementation Indicators have been calculated for 35 European states, as well as for three German federal provinces. The following list presents the five dimensions and the number of corresponding indicators and sub-indicators:

- Promotion: how much do authorities encourage eligible applicants to apply?
- Documentation: how easy is it for applicants to prove that they meet the legal conditions?
- Discretion: how much room do authorities have to interpret the legal conditions?
- Bureaucracy: how easy is it for authorities to come to a decision?
- Review: how strong is judicial oversight of the procedure?

A country's overall score is calculated as the simple average of these five dimensions. Based on a 0 to 1 scale, countries with scores closer to 1 create fewer obstacles in the implementation of naturalisation law. For each of the five dimensions, procedures that score closer to 1 involve greater promotion, easier documentation, less discretion, less bureaucracy, and/or stronger review. Countries with scores closer to 0 create more obstacles in the implementation of the naturalisation law. For each of the five dimensions, procedures that score closer to 0 involve little promotion, difficult documentation, wide discretion, greater bureaucracy, and/or weak review. The scores are the result of country reports written for the purpose of this project and a standardised questionnaire filled in by legal experts.

For more information visit:

<http://eudo-citizenship.eu/indicators/citimpindicators>

CITIZENSHIP INTEGRATION INDICATORS

Citizenship Integration Indicators have been developed by Derek Hutcheson and Kristen Jeffers (University College Dublin).

The indicators are derived from the 2008 EU Labour Force Survey Ad Hoc Module on 'The Labour Market Situation of Migrants and Their Descendants' (Eurostat). Socio-Economic Status indicators are derived from the 2008 cross-sectional EU Statistics on Income and Living Conditions (EU-SILC).

Some data may be omitted due to small sample sizes. All numbers presented are based on at least 100 respondents or 20 for the Socio-Economic Status indicators.

Citizenship indicators include:

LABOUR FORCE INDICATORS

Unemployment: the number of people aged 15 to 74 unemployed, as defined by the International Labour Organisation, as a percentage of the labour force (the total number of people employed plus unemployed) of the same age group.

Economic Activity Rate: the total number of people aged 15 to 74 employed plus the total number of people unemployed (the labour force) as a percentage of the total population of the same age group.

Level of Education: the mean highest education attainment level among respondents aged 25 to 74. Values correspond to mean education levels specified by the International Standard Classification on Education: (1) primary education; (2) lower secondary education; (3) higher secondary education; (4) post-secondary non-tertiary education; (5) university degree; (6) postgraduate studies.

Overqualification rate: calculated as a share of the population aged 25 to 74 with a high educational level (ISCED 5 or 6), and having low or medium skilled jobs (ISCO

occupation levels 4 to 9) among employed persons having attained a high educational level of the same age group.

SOCIO-ECONOMIC STATUS INDICATORS

Social Benefit dependence: measures receipt of family/children related allowance, housing allowances, and social benefits not elsewhere classified as the mean share of respondents' gross annual income.

Poor dwelling (quality): aims to objectively measure the quality of the respondents' accommodation. Values correspond to the percentage of respondents who indicate that the dwelling in which they live has a problem with a leaking roof and/or damp ceilings, dampness in the walls, floors or foundation and/or rot in window frames and doors.

Poor dwelling (environment): aims to objectively measure the quality of the area in which the respondent resides. Values correspond to the percentage of respondents who indicate that pollution, grime, or other environmental problems in the area caused by traffic or industry is a problem for the household.

Poor dwelling (crime): aims to objectively measure the quality of the area in which the respondent resides. Values correspond to the percentage of respondents who indicate that crime, violence, or vandalism in the area is a problem for the household.

Difficulty making ends meet: measures the level of difficulty the respondents' household has in paying its usual expenses. Values correspond to the percentage of respondents that indicate they have some difficulty, difficulty, or great difficulty paying usual household expenses.

Housing cost burden: measures the average percentage of monthly disposable household income spent on monthly housing costs.

Unmet health need: measures the percentage of respondents who indicated that there had been at least one occasion during the last twelve months when the respondent needed medical or dental examination or treatment and did not receive treatment.

For more information visit:

<http://eudo-citizenship.eu/indicators/integration-indicators>

NATIONAL ROUNDTABLES

National Roundtables were organised by national partners and the Migration Policy Group in Austria, Estonia, France, Germany, Hungary, Ireland, Italy, Portugal, Spain, and the United Kingdom. The purpose of the roundtables was to present the project's country results to national stakeholders in order to gather their feedback and interpret the findings in a national policy context. Participants were asked about the factors that influence naturalisation, the impact of citizenship on various forms of

integration, the impact of national policies and the political environment for reform. The ten events took place between November 2012 and February 2013.

10-20 national stakeholders were invited to each event. Stakeholders included civil servants working in national, regional or local administration, regional or national-level politicians, members of non-governmental organisations including immigrant organisation, advocacy groups and service providers, citizenship and immigration lawyers, and academic researchers working for research institutes and universities. The full list of participants in each country is not made public because participants were insured anonymity to facilitate open debate.

The ten national roundtables were organised in two structured focus group sessions of each 60-90 minutes. The discussion was recorded and transcribed by national partners and analysed by the Migration Policy Group. All transcripts were used for content analysis using Nvivo software package for coding.

For more information, see the comparative EU level report:
<http://eudo-citizenship.eu/indicators>



About the MIGRATION POLICY GROUP

The Migration Policy Group is an independent non-profit European organisation dedicated to strategic thinking and acting on mobility, equality, and diversity. MPG's mission is to contribute to lasting and positive change resulting in open and inclusive societies by stimulating well-informed European debate and action on migration, equality and diversity, and enhancing European co-operation between and amongst governmental agencies, civil society organisations and the private sector.

We articulate this mission through four primary activities focused on harnessing the advantages of migration, equality and diversity and responding effectively to their challenges:

1. Gathering, analysing and sharing information
2. Creating opportunities for dialogue and mutual learning
3. Mobilising and engaging stakeholders in policy debates
4. Establishing, inspiring and managing expert networks

For more information on our past and current research, visit our website at www.migpolgroup.com



About EUDO-CITIZENSHIP

Democracy is government accountable to citizens. But how do states determine who their citizens are? EUDO CITIZENSHIP allows you to answer this and many other questions on citizenship in the EU member states and neighbouring countries.

EUDO CITIZENSHIP is an observatory within the [European Union Observatory on Democracy \(EUDO\)](http://www.eudo.eu) web platform hosted at the Robert Schuman Centre for Advanced Studies of the European University Institute in Florence.

The observatory conducts research and provides exhaustive and updated information on loss and acquisition of citizenship, national and international legal norms, citizenship statistics, bibliographical resources, comparative analyses and debates about research strategies and policy reforms.

For more information on our past and current research, visit our website at www.eudo-citizenship.eu



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