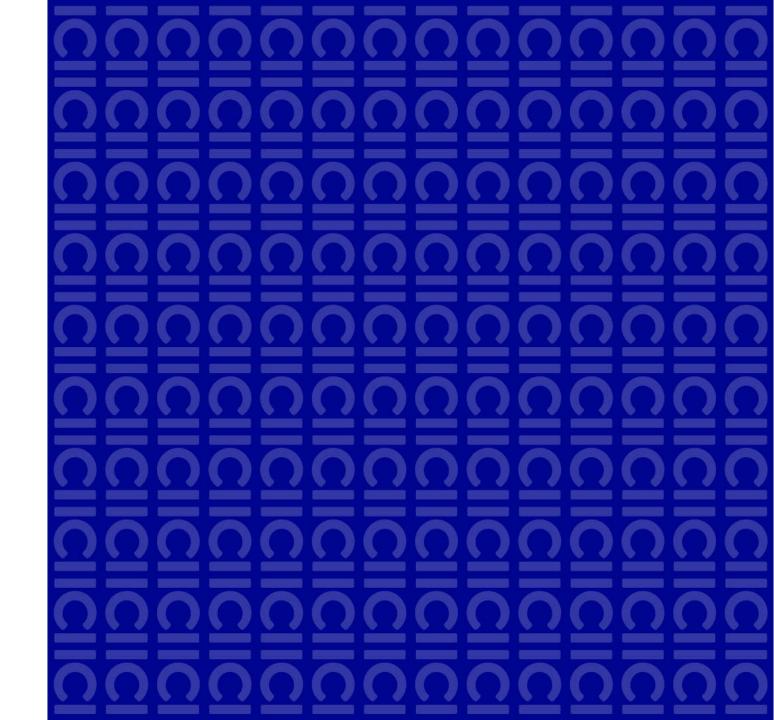


Irish Citizenship Law: An Overview of Recent Developments

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Working for equality



- » Established 2001
- » NGO and Independent Law Centre
- » Service provision Helpline and Legal Service
- » Research and law reform/advocacy

- » 2018: 797 out of approx. 3,500 queries (22%)
- » 2019: 987 out of 5035 queries (20%)
- » 2020 (as of 4/12): 956 out of 5266 queries (18%)

- » 535,475 'non-Irish' representing over 200 different nationalities
- » Further 104,784 dual nationals with Irish as part of dual identity
- » 12.3% of non-Irish nationals were aged 0 to 14 years
- » 157,318 foreign national/dual nationality children in Ireland,

approx. 12.1% of the total population of Ireland aged 0-19 years.

- » Motivations for applying many and varied:
- Insecure temporary residence
- Access to rights
- Sense of belonging & identity

- » Naturalisation adults
- » Naturalisation children born in Ireland
- » Naturalisation children born abroad
- » Citizenship at birth
- » Citizenship by descent

» Administrative – which form, required supporting documents,

supporting documents, application procedure, processing times,

etc.

» Substantive – interpretation of statutory criteria, reasons for

refusals and administrative/judicial review, revocation, stateless

determination and access to nationality.

- » Low rates of naturalisation
- » High application fees
- » Excessive processing times
- » Disproportionate reasons for refusals 'good behaviour' high

threshold & no appeal procedures

• Lack of celebration

- » Still high fees and no appeals procedures <u>but</u>
- » Higher rates of naturalisation +145,800 2006 2018
- » Improved customer service & processing times (with some

challenges!)

» Citizenship ceremonies

- » I (a minor) v. MJE [2019] IEHC 535 'applicant'
- » M.N.N. v MJE [2020] IEHC 'good character'
- **Borta v. MJE** [2019] IECA 255 'Irish Associations'
- » Damache v. MJE [2020] IESC revocation of Irish citizenship
- » Jones v. MJE [2019] IECA 285 'continuous residence'

- » Impact of Covid-19 on INIS operations
- » Backlog and increased processing times, impact of COVID-19
- » E-vetting and tax clearance
- » Virtual citizenship ceremonies
- » Statutory Declaration for Oath of Allegiance
- » Single Person Committe of Inquiry

- » Irish Nationality & Citizenship (Naturalisation of Minors Born in Ireland) Bill
 2018
- » Seeks to reduce residence requirements from 5 to years for child applicants born in Ireland
- » Amend current section 15(3) the parent is not the 'applicant'
- » Dispense with current section 16(A) reckonable residence requirements

- » Irish Nationality & Citizenship (Citizenship for Children) Bill 2020
- » Provides for automatic citizenship at birth for children born in Ireland
- » Provides an entitlent to citizenship for children living in Ireland for 3 years
- » Amend current section 10 by providing that 'foundlings' will be deemed to

have been born in Ireland

» Amend current section 16 definition of 'Irish Associations' to include siblings

of Irish citizens

THANK YOU



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