

Understanding Asylum and Migration in Ireland: The Common Terms

EMN Asylum and Migration Glossary 6.0

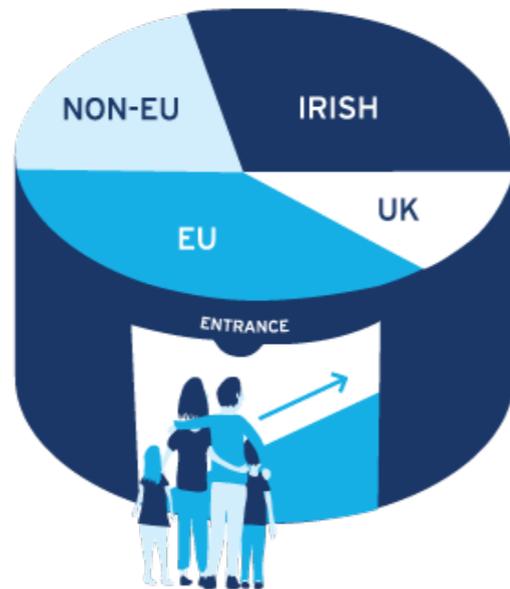


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M I G R A T I O N T E R M S

Third-country national

A person who is not a citizen of the European Union (EU) within the meaning of Article 20(1) TFEU and who is not a person enjoying the EU right of free movement as defined in Article 2(5) of the Schengen Borders Code. Nationals of Norway, Iceland, Liechtenstein and Switzerland are not considered to be third country nationals.

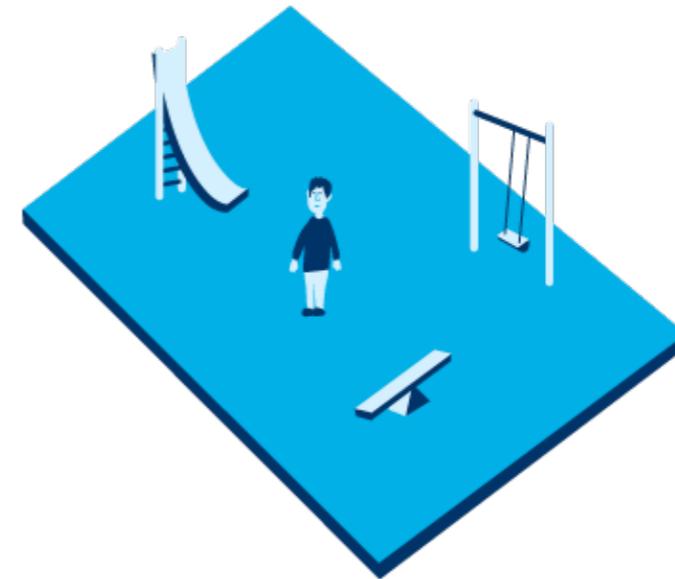


Non-EU/EEA and non-Swiss national

Used in the Irish context, a person who is not a citizen of the EU or an European Economic Area State (Norway, Iceland, Liechtenstein) or Switzerland.

Unaccompanied minor

A minor who arrives on the territory of an EU Member State unaccompanied by the adult responsible for them by law or by the practice of the Member State concerned, and for as long as they are not effectively taken into the care of such a person; or who is left unaccompanied after they have entered the territory of the Member State.



Stateless person

A person who is not considered as a national by any State under the operation of its law.

INTERNATIONAL PROTECTION

Asylum seeker

A person who seeks protection from persecution or serious harm in a country other than their own and awaits a decision on the application for refugee status under relevant international and national instruments.



Refugee

Either a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside the country of former habitual residence for the same reasons as mentioned before, is unable or, owing to such fear, unwilling to return to it.

Subsidiary protection

Protection given to a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin, or in the case of a stateless person to their country of former habitual residence, would face a real risk of suffering serious harm, and is unable or, owing to such risk, unwilling to avail themselves of the protection of that country. (A protection derived from European Union [EU] law).



International protection

In the EU context, protection that encompasses refugee status and subsidiary protection status.

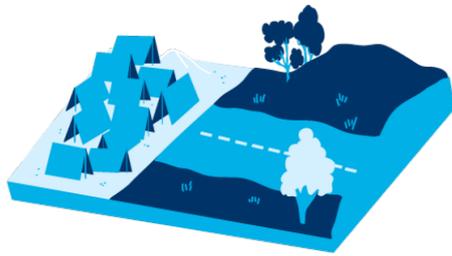
Permission to remain

A status in Irish law under the International Protection Act 2015. Permission to remain may be granted to a person who has been refused international protection.



INTERNATIONAL PROTECTION

Resettlement



The transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR), and based on their need for international protection, of a third-country national or stateless person, from a third country to an EU Member State, where they are permitted to reside with refugee status or a status which offers the same rights and benefits under national and EU law as refugee status.

Relocation



In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, having applied for international protection from the EU Member State, Switzerland or Norway which is responsible for examining their application to another EU Member State, Switzerland or Norway where their application for international protection will be examined.

Dublin procedure



The process of determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national under Regulation (EU) No 604/2013 (Dublin III Regulation).

Eurodac



The name given to an informatic system, the purpose of which, via the collection, transmission and comparison of fingerprints, is to assist in determining which Member State is to be responsible pursuant to Regulation (EU) No 604/2013 (Dublin III Regulation) for examining an application for international protection lodged in a Member State by a third-country national or stateless person.

WORK-RELATED MIGRATION

Migrant worker

A person, who is to be engaged, is engaged, or has been engaged in a remunerated activity in a State of which they are not nationals.

Visa

In the Irish context, a visa is a form of pre-entry clearance, valid only to present at the Irish border.



Work permit

In the EU context, a legal document issued by a competent authority of an EU Member State stating the right of a third country national to work in its territory during the period of validity of the permit.

Labour market test

Mechanism that aims to ensure that migrant workers are only admitted after employers have unsuccessfully searched for national workers, EU citizens (in EU Member States this also means EEA workers), or legally residing third-country nationals with access to the labour market, according to national legislation.



FAMILY MIGRATION

Family reunification

The establishment of a family relationship which is either:

- a) the entry into and residence in an EU Member State by family members of a third-country national residing lawfully in that Member State ('sponsor') in order to preserve the family unit, whether the family relationship arose before or after the entry of the sponsor or
- b) between an Union citizen and third-country national established outside the EU who then subsequently enters the EU.

Family formation

The entry into and residence in an EU Member State of a third-country national on the basis of the establishment of a family relationship either:

- a) after their third-country national sponsor has gained legal residence in a Member State; or
- b) with an EU national



INTEGRATION

Integration

A dynamic, two-way process of mutual accommodation by all immigrants and residents of a State.

Citizenship

The particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation.



Naturalisation

Any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority.

RETURN / EXIT



Voluntary return

The assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.

Assisted voluntary return

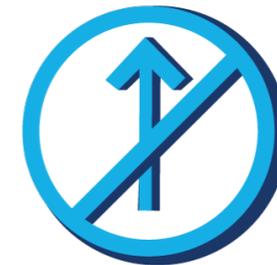
Voluntary return or voluntary departure supported by logistical, financial and/or other material assistance

Forced return

Compulsory return of an individual to the country of origin, transit or third country (i.e. country of return), on the basis of an administrative or judicial act.

Deportation Order

In the Irish context, an order requiring the person specified in the order to leave the State within the period specified in the notice given under section 3 (9) of the Immigration Act 1999 or section 51(3) of the International Protection Act 2015 and thereafter to remain out of the State.



Non-refoulement

A core principle of international refugee and human rights law that prohibits States from returning individuals to a country where there is a real risk of being subjected to persecution, torture, inhuman or degrading treatment or any other human rights violation.

IRREGULAR MIGRATION

Irregular migrant

A person who, owing to irregular entry, breach of a condition of entry or the expiration of their legal basis for entering and residing, lacks legal status in a transit or host country. The term undocumented migrant is also used.

Overstayer

A person who remains in a country beyond the period for which entry was granted.

Smuggling of migrants

The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the irregular entry of a person into a State of which the person is not a national or a permanent resident.

TRAFFICKING

Trafficking in human beings

The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Disclaimer: The definitions of the terms in this leaflet are derived from the EMN Asylum and Migration Glossary 6.0 and from other sources. Some of the definitions are in a global context, some in the EU context and some in a specific Irish context. These definitions are not legal interpretations of the terms.

For further detail, see Asylum and Migration Glossary 6.0 at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary/m_en