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Ireland's Geospatial Distribution of Border Controls:
A Macro Study of Ireland's Migration System

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Abstract

This Master's research project investigates the scalar principle of control that operates between organisations, agencies and departments from the local, to the regional, to the national and international level to underpin the Irish migration system. At each scale, the assemblage of departments, state actors and territorial state structures work in unison, simultaneously, across these scales to enforce control on migrants through bordering procedures.

The Irish migration system has evolved through policy and technological advancements which have helped enforce control beyond the territorial land border of the state. Surveillance information systems and various other newly developed virtual bordering processes such as visas (external process), Irish Residence Permit cards(internal process) and passports (at the ports of entry) add to the level of control the state can exert on a migrant. Through these bordering processes, a hierarchical system of rights develops as the migrant's nationality (EEA/non-EEA) or specific migrant categorisation (e.g. international protection applicant, programme refugee) lead to specific bordering procedures being applied to these individuals at distinct bordering moments.

The research is based on interviews with members of An Garda Síochána, a Lieutenant Commander of the Irish Navy, Advocacy Service Manager of Nasc, a national NGO, Chief of Operations for IOM Ireland, the International Organisation for Migration, a spokesperson for the Transparency Section of the Department of Justice as well as Catherine Day, ex-Secretary General of the European Commission (who has also had other functions relevant to this question). Government legislation and policy documents were used in a blended approach to support the claims made in these interviews and to provide my research with a solid structural base.

List of Abbreviations / Glossary of Terms

CTA - Common Travel Area

CDA - Critical Discourse Analysis

CHIS - Covert Human Intelligence Sources

DoJ - Department of Justice

EEA - European Economic Area

EEZ - Economic Exclusive Zone

EU - European Union

Eurosur - European Border Surveillance system

GNIB - Garda National Immigration Bureau

IOM - International Organisation for Migration

IPAS - International Protection Accommodation Service

IPAT - International Protection Appeals Tribunal

IPIU - Irish Passenger Information Unit

IPO - International Protection Office

IRP - Irish Residence Permit

IRPP - Irish Refugee Protection Programme

IRRP - Irish Refugee Resettlement Programme

ISD - Immigration Service Delivery

MAOC-N - Maritime Analysis and Operations Centre – Narcotics

NGO - Non-Governmental Organisation

OPMI - Office for the Promotion of Migrant Integration

PNR- Passenger Name Record

PPS - Personal Public Service

PSNI - Police Service of Northern Ireland

SIS - Schengen Information System

TRC - Temporary Residence Certificate

1 Introduction

Ireland is a small open economy located in the North Western peripheries of the European Union, in the Atlantic Region of Europe. Although the state is considered to be neoliberal in its current formation, the Irish state historically has acted on the periphery of the global economy. Laffan and O'Mahoney (2008, pp.3-4) identify that the Irish government's ideological stance was once rooted in a state centric ideology of protectionism until the late 1950's, thus isolating the state from international market influences. "At that time, our economy was relatively weak, inward-looking and heavily dependent on agriculture, and on the British market" (Mulhall, 2018). T.K Whitaker's 'Programme for Economic Expansion' (1958), initiated the state's changeable engagement with the world. This policy document provided the Irish state with the ability to attract foreign direct investment, lower tariff barriers and modernise the Irish economy. In 1973, Ireland joined the European Communities (EU) and continued to improve international relations with other key geopolitical actors such as the United Kingdom (UK) and the United States of America. By the 1990's, "Ireland had created an environment for growth and benefited from a number of external factors. Globalization and rapid technological advances spurred the industries in which Ireland was strong and could offer further competitive advantages" (Dorgan, 2006, p. 8). Ireland's geographical location and the role of the Industrial Development Agency (IDA) have been key in connecting the North American market to the European market through foreign direct investment into Ireland. Through the development of international partnerships, multinational corporations and industries remain firmly located within Ireland and now have access to new markets and territories through this relocation. Koser and Salt (1997, p. 293) support this claim and identify that the ability to move people and goods has been enhanced by the technological advancements made through globalisation. Comparably, states can model their foreign policy to shape interactions on a global scale 'through collaboration and multilateralism'.

Simon Coveney (2022) speaks to this in his address to the ‘President and members of the Royal Irish Academy delegates’. Coveney discusses Ireland’s role within European and global matters and the continued building of alliances throughout the world in Ireland’s global strategy plan.

Our membership of the EU and current membership of the UN Security Council provide the fundamental context for our global engagement. We will deliver on the ambition of the Global Ireland programme to double Ireland’s impact in the world by 2025 through collaboration and multilateralism. Over the course of this year and next we are marking 50 years of Ireland’s EU membership. This period has coincided with a radical economic and social transformation of our country. Our EU membership has been central to this transformation. The EU is now the prism through which we project our values, pursue our goals and understand our place in the world.

As a result of the Irish state’s emergence within the globalised system during the 1990’s, the cross border movement of technology, goods and services and in particular to this case study, the flow of persons across borders began to accelerate. In Ireland, the state’s migration profile shifted from “emigrant nursery to immigrant destination” (Gilmartin and White, 2008, p.144). Figures for those claiming asylum during this period highlight this change in migrant’s attitudes towards in-migration to Ireland. “In 1992, Ireland received only thirty-nine applications for asylum. By 1996, this figure had risen to 1,179; it had risen to 7,724 in 1999 and to 10,325 in 2001 (Figure 4.1). In total, there were approximately 40,000 applications for asylum in Ireland between 1992 and 2001” (Loyal, 2018, p. 74). This period of in-migration was observed and replicated across other categorisations of non-Irish citizens. “The 2006 census identified

419,733 non-Irish citizens as living in the country. By 2011, when the next census was taken, this number had risen to 544,357. Ireland's immigrant population seemed to have increased during the economic crisis. In fact it peaked in 2008 at over 575,000, or 12.8% of the total population" (Fanning, 2016, pp.9-10).

Commenting on the data, Cathal Doherty (2022), Statistician in Population Estimates and Projections, observed that the number of immigrants entering Ireland reached its highest peak in a 15 year period.

The number of immigrants, or those entering the State in the year to April 2022 is estimated to be 120,700, while the number of emigrants, or those leaving the State, over the same period is estimated at 59,600. These combined flows gave positive net migration (more people arrived than left), of 61,100 in the year to April 2022, compared with 11,200 in the previous year. The number of immigrants was the highest since the year to April 2007 and consisted of 28,900 returning Irish nationals, 24,300 other EU nationals, 4,500 UK nationals, and 63,000 other nationals including Ukrainians.

Within Europe, the total foreign resident populations "grew more than fourfold, from 3.8 million (1.7% of the total population) in 1950 to 10.9 million (3.3%) in 1970 and to 16 million (4.5%) in 1990" (Bade, 2004, p.340). As the rate of in-migration accelerated within Europe, states were tasked with reinforcing their border controls through new policies and legislation to help manage the movement of migrants at distinct scales. "While migration and border controls take place at the border and within the territory of the EU, several legislative instruments have introduced measures that are implemented before a third country national enters the territory of a member state. Such measures include visa policies, carrier sanctions,

advance passenger information and immigration liaison officers” (European Migration Network, cited in Karamanidou and Kasperek, 2018, p.34). As the EU enhanced border control at the points of entry and its external borders, “the Schengen Agreement signed on June 14, 1985, is a treaty that led most of the European countries towards the abolishment of their national borders” (Schengen Visa Info, 2023). Although this policy shift abolished national borders and enhanced the freedom of movement between Schengen States, the ability to police migrants was enhanced through a new collaborative process of sharing information between member states with the introduction of the Schengen Information System (now SIS II). This boundless structure is utilised to control and inform different sections of the assemblage of departments, agencies and state actors to the whereabouts of migrants in this shared scalar experience of control. Therefore, surveillance information systems such as SIS have been extended to non-Schengen member states such as Ireland in an effort to further control the migration process within Europe and within the Irish state.

The Irish border is an exceptional case study within Europe due to its shared land border with the UK and its function as an external EU border at the same demarcation line. The shared border regimes of these entities permit certain preconditions which support the movement of UK and EEA citizens to Ireland’s ports of entry. (Note: These border regimes will be explored in greater detail in chapter 4). However, on arrival, “there is generally no separation of arriving passengers at Irish airports and seaports. This means that immigration officers performing immigration control duties at airports in the State do not know where passengers have travelled from when passengers present at immigration control desks” (Department of Justice, Common Travel Area, 2022). Therefore, UK, EEA and Irish citizens must adhere to the state’s immigration control measures prior to entering the state through the presentation of identification. States utilise identification documents such as passports to reinforce their

monopolisation of control over personal identification. This procedure has shifted the bordering process beyond the spatiality of control or territorialised structure of an airport or port to around the migrant itself. For non-EEA nationals, the state builds upon this territorialised procedure of control at the port of entry through the externalisation of enhanced border controls such as Visas, carrier liability checks, work permits, college acceptance letters and other requirements. If these measures are met, non-EEA citizens will be granted the ability to speak with an immigration officer at the port of entry. “The immigration officer will stamp your passport with information about the conditions of your stay” (Permission to enter Ireland, 2022) and in doing so, is informed of personal information about each person entering the state.

The Irish state partakes in internalised bordering procedures to further enforce the level of control that is witnessed at the point of entry as well as in the external phase of border control. The state utilises a two part process in which IRP cards are issued in Garda stations nationally as a form of identification for all non-EEA migrants staying in the state beyond 90 days (except asylum seekers - who receive TRC cards (not considered identity cards) to further categorise and order migrants into groups. This form of border control categorises individuals with a clear understanding of who is in the state, what state they have arrived from as well as the duration of their stay. This information is then fed back into police databases or surveillance information systems to further reinforce the state's ability to control migrants at a later stage. If these requirements are not met, the state will act upon this through the detention of an individual, the return of an individual to their country of origin or the arrest and charging of an immigrant for being in the country illegally. The Irish state utilises its police force, an Garda Síochána to deal with matters of illegal immigration in which the enforcement of state power is enacted upon the individual in such cases.

This procedure to enforce control within the state is also witnessed within the asylum system. The ‘International Protection Act’ (2015) replaced the ‘1996 Refugee Act’ on the 30th of December 2015 and amended the Immigration Acts of 1999, 2003 and 2004. Through the reordering of policy and legislation, the asylum system became a more streamlined and refined approach to provide support and accommodation to asylum seekers. Those now seeking asylum need to make “a single application procedure where applicants will make one application where all grounds for seeking international protection (refugee status and subsidiary protection) will be examined and determined in one process” (Sheridan and Whelan, 2016, p. x). However, the ‘direct provision’ system, introduced in 2000, still remains in place and is utilised as a tool to control and manage those attempting to settle within the state who are fleeing conflict in their country of origin until their status has been determined. The system itself remains the current all-encompassing term in relation to the “accommodation, food, money and medical services you get while your international protection application is being processed or while you are an asylum seeker” (direct provision system, 2021). The direct provision centre, where those wishing to seek asylum are housed, epitomises the spatiality of control that is in place within the current international protection system and provides evidence of a more traditional territorialised nature of control taking place within the state in collaboration with these other processes. The centre itself acts as a spatialised container to marginalise and isolate certain persons who have travelled to Ireland in the hopes of gaining International Protection.

The Irish state’s border operates as a complex, multifaceted matrix of moving pieces which work simultaneously, to contract and expand, inward and outward to fulfil the needs of the state’s migration system. The state, through the creation of policy and legislation, enforces control through various sectors (Enforcement, Support Services and Accommodation) of the Irish migration system. In the state’s aim to maintain order, I identified three key moments

within the state's migration management process to support this research aim: the process for entry for voluntary migrants, the externalisation of state power through the removal of illegal immigrants and internal bordering processes developed through providing support for the integration or assisted voluntary return of irregular or involuntary migrants. The objective of this task is to identify the scalar principle of control which operates within the assemblage of state departments, offices and actors within this matrix and where they intersect within space. These specialised operations will be explored to provide evidence of the fluid nature of border controls from the local to international level and the specialised nature of control that is placed on certain migrant categorisations over others throughout the migration process.

Through these parameters, this case study aims to identify the hierarchical system of rights which develops through migrant categorisations based on nationality and citizenship at these distinct moments. These distinct bordering moments are witnessed concurrently at the local, regional, national and international scale and thus, interviewee's throughout these operational scales as well as relevant policy and legislative documents were thoroughly examined throughout this research process using CDA.

1.1 Chapter Outline

Chapter Two features academic literature on the geospatial distribution of border controls and underlying theoretical concepts. This literature review aims to describe and analyse each unique physical and non-physical location where the border is operated in foreign and domestic examples in the process of migration management.

Chapter Three identifies the methods which support the foundation of my research. Qualitative research in the form of documents and semi-structured elite interviews are deconstructed to uncover common themes through CDA.

Chapter Four identifies the ‘hierarchy of rights’ associated with the process for entry for voluntary migrants. This chapter navigates the scalar experience of control that operates from the international level to the local level through the scalar principle that is employed by immigration organisations within the state. This process of state control is initiated in a non-physical manner within the country of origin through ‘remote control’ measures, is operationalised by an immigration officer at the port of entry and is enhanced within the state through a prolonged border procedure of registration which is diffused throughout the state to local Garda stations. Beyond this process for entry, the institutional setting of the Irish migration system is established to support in the development of my other empirical chapters.

Chapter Five is concerned with the removal of undocumented migrants, including migrants whose documentation is no longer in date, failed International Protection Applicants and migrants involved in criminality. This chapter explores policy and legislation in place to operate procedures that support detention and deportation throughout the state and at the ports of entry. At the international scale, the state and its enforcement sector operate beyond the land border of the Republic of Ireland in the process of prevention through cross state partnerships in European and international waters. From the international level to the local level, surveillance information systems operate in a non-physical procedure of control to reinforce bordering procedures at each distinct scale.

Chapter Six identifies a clear process utilised by the state to make involuntary or irregular migrants observable for state actors throughout the various scales of the Irish migration system. This is achieved through the implementation of support services performed by governmental agencies such as IPO, IPAS, IPAT, ISD, OPMI and various units within An Garda Síochána. The execution of these services are operationalised alongside intergovernmental organisations such as IOM. Migrants interact with the Irish state at various scales due to their exceptional circumstances for leaving their country of origin for a variety of reasons such as conflict or fear of persecution within their home as a result of race, religion, nationality, member of a particular social group or political opinion. Irregular or involuntary migrants may also be residing within the Irish state when their circumstances in their country of origin changes or through the migrants inability to register their permission to remain. The state, therefore, implements a range of schemes and support services to support a migrant in their integration process or in their process of return. These services and schemes serve a dual purpose as border control measures to quantify and order migrants throughout the state.

Chapter Seven concludes and highlights the multiscale dimension of control operated from the local to international scale. The Irish state has developed a matrix of border control measures that occur simultaneously throughout these scales. This is operationalised through the assemblage of departments, agencies, territorial locations and surveillance systems which quantify and gather information on migrants who intersect at these various points within the Irish migration system.

2. Literature Review

This chapter introduces the relevant academic literature in relation to border studies. In my review of the literature, borders and border procedures are used by the state in the process of migration management to enforce control on migrants, and in particular, asylum seekers at various scales. I will examine these processes by using various state examples and key thinkers to draw together the locations in space in which the state operates to enforce control.

In Section 2.1, I outline the developments made within geopolitical thought surrounding the study of boundaries and borders. This literature review will navigate through ideas associated with a traditional geopolitical viewpoint as seen within John Agnew's 'Territorial Trap' in which the fixed nature of borders is central to discussion. As section 2.1 progresses, Paolo Cuttitta a contemporary geopolitical thinker provides insight into the flexibilization of borders in the 21st century and the increasing levels of control that states have developed through cross state partnerships in the globalised economy.

Section 2.2 focuses on the reinforcement of territorialised bordering structures by using case studies drawn from the United States of America, Hungary, Finland, Sweden and India. These added procedures have been enhanced in the 21st century by technological advancements in securitisation measures such as UAV's, motion detectors and video surveillance at these territorial locations located at the point of entry.

Central to this section is Giorgio Agamben's work on the 'State of Exception'. This particular piece of research highlights states' ability to create a marginalised group of people within society (asylum seekers, or Muslims within Agamben's case study) that are held to different standards to other ethnicities while entering the same state. The process to enter a state has now

shifted away from the point of entry to a multidimensional and layered process of control that can be enforced both in person by immigration officers and remotely from UAV's and other unmanned forms of surveillance.

Section 2.3 provides insight into 'personalised borders' and their role in ordering migrants throughout the migration process. Broeders and Hampshire identify that tools such as visas are utilised to initiate the process of entry for migrants. This procedure takes place in the country of origin with the support of private airline companies. Through this extension of power, states now have greater access than ever to migrant's personal information and thus, can monitor each migrant category that arrives legally to the state through these normal channels to a greater degree.

The literature reviewed in Section 2.4 is centred on the research surrounding surveillance technologies being utilised as tools of control by states attempting to manage migration at various bordering phases. In this section in particular, the externalisation of this form of border control is discussed in countries such as Libya, Spain and the United States of America. Through the operationalisation of these surveillance tools, databases are formed by 'social institutions' which gather and categorise information on individuals through a shared collaborative process between states. Within the EU, tools such as SIS are used regularly by state police forces. Poster, a key thinker in this specialised area of research provides valuable insight into this aspect of border control and its boundless application through its ability to transcend borders in cyberspace.

Section 2.5 outlines the internal bordering procedures and strategies utilised by states tasked with protecting and providing for certain migrant categorisations such as asylum seekers.

Within this section, key thinkers such as Lauren L. Martin observe that each migrant life has a monetary value which is accentuated by the capitalistic nature of the globalised economy. Therefore, in following ‘the state of exception’, a ‘bare life’ concept introduced by Agamben in ‘Homo Sacer’ personifies the mistreatment of migrants who are dependent on the state for protection and basic needs. Through this state funded protection service, migrants are placed in direct provision centres. Here, the cramped living conditions, the lack of nearby amenities and public transport routes for those in the direct provision system can lead to a negative connotation of place among other factors which will be explored within this chapter.

2.1 Geopolitics and statecraft in globalised systems

There is a long history of literature surrounding geopolitics and its concepts. The ideas that surround the discipline of geopolitics are encapsulated within a quote from Colin Flint’s book *‘Introduction to Geopolitics’*. “Geopolitics uses components of human geography to examine the use and implications of power. Contesting the nature of places and their relationship to the rest of the world is a power struggle between different interests and groups. The spatial organization of society, the establishment and extent (both geographic and jurisdictional) of state sovereignty is a continuing geopolitical process” (Flint, 2006, p.27). Within and across these geographic scales, geopolitical agents or states interact with one another at all levels of statecraft (economic policy, diplomacy, militarily) to reinforce their position in the global system and to maintain control over their territory. Geopolitics is not solely focused on the control of locations and geographical space but also those who occupy space.

From my understanding of the literature surrounding traditional geopolitics, Robert D. Sack (1983, p.59) in the early 1980’s influenced political geographers in interesting ways in relation

to 'territoriality' which is used by states to "displace attention from the relationship between controller and controlled to the territory". John Agnew expanded upon this concept through the 'Territorial Trap', in which he adopted a realist, state centric view of the way in which a state maintains control in regard to state sovereignty, security and political life. "Territoriality, the use of territory for political, social, and economic ends, is widely seen as a largely successful strategy for establishing the exclusive jurisdiction implied by state sovereignty" (Agnew, 2005, p. 437). This traditional form of geopolitical thought centres on the fixed nature of state borders and that "only inside the state territory is there social order; outside is anarchy and danger" (Agnew, 1994, p.69). This line of thinking disregards the shared border operations which can and do occur through cross state partnerships at the EU level. Through this understanding and building upon the ideas introduced by Robert D. Sack, Ó Tuathail (1999, p.109), identifies that, "all states are territorial and all foreign policy strategizing and practice is conditioned by territoriality, shaped by geographical location, and informed by certain geographical understandings about the world". However, due to the global phenomenon of migration movement, the state is required to operate in interesting ways to achieve a level of control over certain territories and persons it would not have dominion over in traditional territorial forms. Ó Tuathail acknowledges that there is a geographical process as to how a state can create these spatialities of control throughout these geographical scales, from the local to the national, to the international and the cyberspace while also influencing how the state may operate its bordering processes throughout its territory and beyond.

Anssi Paasi (2009), a Finnish Political Geographer signifies the importance of boundaries in traditional geopolitical thought. Paasi outlines that the word 'boundary' in a geopolitical context was considered to be the most important 'mediating' keyword in the tradition of political geography. "Boundaries have been defined by tradition as physical or imaginary lines

of contact between the key power containers, that is, states. Nowadays they are understood more broadly, often as social institutions and symbols that exist in social practices and discourses” (Paasi, 2009, p. 217). The word boundary alone without context provides a finite or boundedness to what can be achieved by the state in regard to policy and societal control in space, it is a dividing line between the inside and outside of a state, the difference between shared and opposing beliefs or ideas. Boundary studies, in its current understanding, outline where the border is. Border studies has expanded into its own subfield in showing how the border is socially constructed. “The insight that the making of borders is the product of our own social practices and habitus has led to the study of borders beyond merely states or nations. As this insight also applies to other territories than states, such as (macro-)regions, cities or neighbourhoods, a border has become less automatically connected to states alone, making the claim of a territorial trap in the present studies in theory less applicable” (Van Houtum, 2005, p.674). Tim Endensor furthers this and contests this belief that the nation is a bounded space and that its ‘appearance of fixity’ is in relation to its controlled territory at a specific time and in a specific space which may change at any moment. “The nation masquerades as a historical entity, its borders providing a common sense existence that locates the imagined community in time and space. Yet despite the appearance of fixity, nations continually change: they fragment, emerge, conjoin with each other, lose parts and expand, as any glance at a historical sequence of political maps throughout the twentieth century demonstrates” (Endensor, 2009, p. 242).

Cuttitta (2015, p.243) outlines this shift from the traditional view of territorial borders being fixed to a more mobile or deterritorialised bordering process. This shift in specific bordering procedures provides the state with a more flexible form of border security through surveillance which can restrict certain person’s entering the state and their activities while in the state

through the collaboration of cross state partnerships within supranational structures such as the EU. These more traditional territorial forms of bordering have by no means been removed, but have been built upon as a response to the increased levels of migration to Europe by more flexible options offered by various forms of electronic border management.

More and more often, territorial borders manifest themselves in shapes different from the traditional line, and operate in new ways, independently from their classical spatio-temporal coordinates of fixity in space and continuity in time. State borders thus turn from fixed to mobile and flexible borders (which can be stretched inwards and outwards, emerging far away from their official demarcation line, within the territory of the destination state, in international waters, as well as in the territories of the countries of origin and transit).

Grugel and Hout discuss how states within the EU have shifted to more deterritorialised bordering processes to increase their levels of participation in the global economy. This is most clearly evident within the Schengen Area where the cross border movement of EU nationals has become commonplace. “It is our contention that one way that semi-peripheral states try to make this transition, and thereby participate within the production structures of the global economy, is through adopting new forms of regional networks which bring in other states and which also lock in multinational producers within the alliance” (Grugel and Hout, 2003, p.6). Although Ireland is not a part of the Schengen Area, states such as Ireland have benefited from the effects of migration from “provisioning a market of 300 million people and tapping into such a large and growing labour market without let or hindrance from inter-state border barriers has been of enormous advantage/profit to business, both EU and foreign” (Armstrong and Anderson, 2007, p.2). However, within certain European states, demographic factors such as

low birth rate and an ageing population have led to the increased need for highly skilled migrant workers. Van Mol and De Valk (2016, p.38) highlight that “many European countries stepped up attempts to attract highly skilled or educated migrants. This goal is still reflected in a number of national programmes today, for example, in Denmark, Germany, Sweden”.

In Beck’s view, globalisation has made Europe an increasingly viable market for migration for Non-EEA nationals seeking employment, a better standard of living or refuge in the case of asylum seekers through the material benefits provided to migrants who migrate to these states. “It means that corporations, especially globally active ones, can play a key role in shaping not only the economy but society as whole - if ‘only’ because they have it in their power to withdraw the material resources (capital, taxes, jobs) from society” (Beck, 2018, p. 2). However, through my understanding of the literature surrounding border management and securitisation, the state or in this case the supranational structure still remains the key actor in relation to the control of its borders and the management of migrants entering the state at the points of entry. As Vaughan and Kilcommins (2007, pp.438-439) outline, the external effects of the process of globalisation can have an internal structural effect on the state in relation to “a general sense of insecurity or increased migration”. If anything, the state has reaffirmed its position as a result of the increasing numbers of migrants appearing at these external points of entry from Non-EEA nations. Dijstelbloem, Meijer and Besters (2011, p.1) support this claim in outlining the fortifications made within the EU and at its external borders. “Globalisation is taking place but is not making travel any easier. The EU has removed its internal borders but has fortified its outer boundaries. The abolishment of the internal borders of the EU has increased the need for controlling the borders of the Schengen area, currently covering approximately 8000 km land borders and 43,000 km sea borders. There are approximately 600

airports with extra-Schengen flights. About 250 million passengers a year pass these borders over land, about 70 million over sea and about 390 million through the air”.

Rumford (2006) acknowledges this shift within the European Union as a result of the effects of globalisation. The deterritorialisation of borders for those who are citizens of the states within the Schengen Area has accentuated the transnational movement of people within the European arena.

No longer simply represented by lines on a map, or marked by political boundaries (security check-points, passport controls, transit points), borders and the regular crossing of borders, have become part of our routine experience, particularly in Europe where borders proliferate (between an increasing number of EU member states and non-member countries, or within countries as sub-national and city regions assert their EU-sponsored autonomy and assert a new spatial existence) but where the importance of individual borders is in many cases very much reduced.

Ireland's bordering procedures are antithetical to the EU and Schengen states deterritorialised processes. From the 1990's to the present day, the state has continued to strengthen its border by introducing new procedures internally, externally as well as at the port of entry to support in the process of managing migrants.

2.2 Reinforcement of Territorialised Bordering Structures at the Point of Entry phase - Traditional Geopolitics

Broeders, a key thinker within the securitisation and technology branch of research identified important changes that were occurring within the European Union in relation to border technology and its mobilisation. These identifiable shifts were made to further the level of control the supranational structure could enforce onto 'unwanted immigrants' through border control measures. "Borders have been strengthened with guards, watchtowers, concrete and fences. They have also been equipped with state-of-the-art technology, such as infrared scanning devices, motion detectors and video surveillance" (Broeders, 2007, p.72). States have enhanced different aspects of migration management in an effort to order and categorise migrants within the state as well as migrants in transition toward the state. These processes do not work in isolation, they are coordinated and deliberate throughout the matrix of connections at each bordering moment. The most deliberate and visible is witnessed at the border through the territorialised state structures that are utilised to enforce control at the initial entry phase for migrants. In the USA, Jones and Johnson (2016, p.193) investigate how Unmanned Aerial Vehicles (UAVs), motion sensors as well as military presence are utilised as tools of surveillance along the Southwestern border in a hybridised approach of cybersecurity and territorial influence to dehumanise migrants. This process is used to delineate the border, reinforce state territory and to provide a barrier to those wishing to enter. Miholjcic (2017, p.64) provides evidence of enhanced territorial border control measures during the Migration Crisis in 2015 in Hungary which isolated Muslim refugees. This was demonstrated by the construction of a fence to create further distinctions "as a modern extraordinary political measure applied for solving the migration problem in Europe separating 'us' (the EU) from 'others' (perilous migrants)". Prokkola in 2020 produced a research paper on the change in securitisation and registration measures as a result of the increase in asylum seekers at the

Finland and Sweden border in Tornio, a region which ‘enjoyed free movement for decades’. This particular case study further reinforces the state or in this case, the Finnish state’s authority over border decisions in relation to the reception of asylum seekers over other actors such as local municipalities but also reinforces the idea of shared border control measures that have become more apparent between states in Europe (hybrid border securitisation). Prokkola (2020, p.883) states that although these specific states hold a historical relationship to one another, the EU integrated border management system also plays a role within the actions of states operating within this supranational system and thus “member states voluntarily share their territorial sovereignty, giving up some of their legal-authoritative rights to make independent decisions about border enforcement”. What can be discerned from both European case studies is that “asylum seekers were pictured as a threat to European values” (Suomi24 TornioHaparanda cited in Prokkola, 2020).

The ‘State of Exception’ and the ideas that run throughout Giorgio Agamben’s work on this specific topic are central to the understanding of how and why a state may create a ‘State of Exception’ during a period of weakness or insecurity. Periods such as this can lead to the fraying of relationships between different ideological stances and/or ethnic groups in which a form of tribalism between the different factions of a society can occur. Mansoor (2012, p. 25) identifies the societal pressures placed upon Muslims within the United States post 9/11 to “fit in with the society. Failing to do so yielded difficult scenarios (i.e. they were either forced to go back to their homelands, to rescind their allegiance to their ethnic roots or to be imprisoned under the Terrorism Criminal Law of the Patriot Act 2001)”. The state of exception is created through the isolation of a specific group of people in which these specific categorisations are not placed on all who enter the United States of America. Agamben (2005, p.3) draws on examples from the ‘Patriot Act 2001’ which erased any legal status the individual may have

and ‘thus producing a legally unnameable and unclassifiable being’ who could be detained. Jones (2009, p.292) provides further evidence of the ‘State of Exception’ and control being enforced within India post 9/11 in which the ‘Patriot Act 2001’ (Prevention of Terrorist Activities Act (POTA) 2002) was replicated to grant “Indian security services exceptional emergency powers to combat terrorism”. Jones identifies that this particular policy shift led to the framing of neighbour states, Bangladesh and Pakistan, as terrorist states and thus, as further threats to India. Cowen and Smith (2009, p.31) determined that through “the criminalization of migration, the filtration of border control practices into local jurisdictions and diverse institutions, and the export of US borders to ports and airports around the world further expand the national border from a one-dimensional line into a two-dimensional “seam”. There is a geography to this process in which the state operates in different locations, utilising different actors and different forms of bordering processes in an effort to maintain control over the state or supranational organisations bordering processes.

2.3 Personalised Borders - Tools for control of Migrant Population throughout the connective moments of the Migration System

In the current construction of the system, the border is not located solely at the outer extremities of the nation's physical borders but around the migrant at all scales. Basaran (2008, p.341) explores how the limitation of rights for certain immigrants can be structured through policy reform and thus, this spatialised container of the bordering processes can be maintained. “Sovereignty gains its full power precisely through the possibility to define its legal borders, the space of its legal jurisdiction and the space of its legal rights. The possibility to expand and contract legal borders is a technique that states use to create border zones of limited rights”.

The border itself is fluid, in that it has undergone a transformation to best suit the globalised structure of the world. Visas, passports, IRP cards are all forms of the deterritorialised bordering structure that is currently in place to order and categorise non-EU nationals.

The state aimed to replicate this process in ‘A White Paper to End Direct Provision and to Establish a New International Protection Support Service’ (2021) for asylum seekers and the utilisation of other tools such as TRC cards to further categorise each migrant. Landy (2015, p.932) informs the reader of certain policy decisions made by the state to enforce this mobile border. “Section 125 of the 2010 Bill places the onus of proof that a migrant is not illegally present on the migrants themselves. Failure to prove their status would allow them to be detained and deported on the spot. Section 126 further requires foreign nationals of fourteen years or more to provide biometric data to state authorities.” This system, although it appears to be a less physical representation of control being exerted by the state, is able to provide more barriers and gather greater information on an individual. Lefebvre (2003, p.84) indicates that “this space is a material - natural - space in which the actions of human generations, of classes, and of political forces have left their mark, as producers of durable objects and realities (rather than only of isolated things and products, of tools and of goods destined for consumption)”. It is through the restructuring of the Irish migration system over time, that space has been utilised and reformed to better suit the wishes of the state through greater surveillance and enforcement in deterritorialised bordering processes rather than the wishes of the public to create a deterritorialised system which is free from distinctions for those within the International Protection System.

Torpey, cited in Broeders, (2007, pp.75-76) identifies that the state has monopolised the legitimate means of movement for persons wishing to travel between states through the creation

of mobile or personalised bordering forms of documentation. “The passport connected an individual with a formal and documented identity that can only be issued by the state. This document became the prerequisite for moving across borders. The effective execution of this monopolisation required identification, documentation and the creation of elaborate bureaucracies and technologies. Surveillance and (international) mobility thus became closely entwined”. Through these enhanced forms of securitisation which contain a personal bio data page for each person who possesses a passport, the state is able to add a further layer of surveillance to its bordering procedure at the points of entry and throughout the different scales of the state’s migration management structure. Broeders and Hampshire (2013, p.1204) outline how European states have shifted beyond the point of entry to further project power outward in relation to the state’s bordering processes through the use of Visas to further categorise migrants. “Visa requirements are a form of remote control, since they require potential entrants to undergo scrutiny and receive entry clearance before they arrive at a state’s territorial border”. At these points of entry, Cuttita (2015, p.243) outlines the delocalised nature of bordering procedures at these locations in space which have been created through the use of technology prior to the state’s physical acceptance of such person’s within the state. “The imposition of visa obligation on nationals from given countries has turned visa offices at consulates into temporally anticipated, spatially delocalized, fixed punctiform manifestations of territorial borders, where migrants “virtually meet the border before physically passing it”.

Glouftisios and Scheel (2021) outline the interaction between the physical and cyber form of securitisation in which the state enlists at the points of entry. This form of state control is utilised to reinforce the connective moments seen in space in which the state enlists the physical representation of its policy enforcer in locations of first contact with the migrant. This procedure of questioning specific migrant categories further reinforces the spatiality of control

within these spaces (airport and port). Those that are deemed to be successful in this process (allowed to enter the state) are complicit in the wishes of the state. This willingness to share personal information with a state entity who will surveil and seek to understand the movements of those who have entered the state in further internal bordering processes has become a common acceptance due to the monopolisation of space the state has created in these locations.

The important point is that these documents are requested by the consulate, but they are provided by visa applicants. Likewise, applicants must answer all questions raised by consular staff in a mandatory interview. Again, the questions are asked by consular staff, but visa applicants provide the answers. It is due to this distribution of the capacity to act that migrants and travellers can repurpose the devices and methods of control into means allowing for the appropriation of mobility to and residency in Europe.

2.4 Technology and Surveillance in the external phase of migration management through Enforcement

Levi and Wall (2004, p.199) deliberate on how surveillance information systems, build upon the initial bordering procedure witnessed at the point of entry through the categorisation and collection of migrant data within databases. “By gathering data about people and their movements they strengthen ‘the surveillant assemblage’ - a term describing the relationship between heterogeneous surveillance technologies that “‘work” together as a functional entity’, without any other unity”. Through my understanding of the literature, surveillance technologies have been utilised as tools of control by states attempting to manage migration at various bordering phases. State surveillance knowledge is shared within a European network which

interlinks the local scale of surveillance to the international scale through these surveillance information systems and the databases which categorise and order this information. Poster (2018, p.85) discusses the boundedness nature of the database as a tool for control which transcends borders due its constant presence in all spaces through cyberspace. “The database is no one's and everyone's yet it "belongs" to someone, to the social institution that "owns" it as property, to the corporation, the state, the military, the hospital, the library, the university. The database is a discourse of pure writing that directly amplifies the power of its owner/user”. Nedelcu and Soysüren (2022, p.1822) outline aspects of these surveillance technologies in the United States and the European Union which “have developed migration policies and border control regimes that employ cutting-edge surveillance technologies (e.g. biometrics coupled with databases such as Eurodac, Schengen Information System (SIS), Visa Information System in Europe; US-VISIT in the US)”. Scott, cited in Broeders, (2007, p.74) acknowledges that these databases are an integral part of providing data so that society is deemed ‘legible’ for the creation of policy for the state to further enlist control within the state and its internal bordering structure. However, through the utilisation of surveillance systems, states have transcended their own state boundaries and have begun to gain control over migrants prior to entry in this externalisation of state power.

Through the digitalisation of borders, Oliveira Martins, Lidén and Jumbert (2022, p.478) identify how the state has evolved its bordering procedures to such a point through ‘(e-gates, self-service kiosks, automated security checks, border surveillance and software for pre-registration and risk assessment of travellers)’ that the state has limited the ability for persons who are irregular or seeking asylum to reach their planned destination. In an effort to gain control over who arrives at the point of entry, the state has shifted this preclearance migratory experience to the country of origin and in some instances, to the private companies in the airline

industry who are required to clear persons prior to embarkment. Through reading the literature on refugee studies, Gerard and Pickering (2014, p.355) identified a correlation between funding 'refugee protection programmes in North Africa' and "sites of women's experiences of violence and the efforts of the EU to secure its external borders to exclude illegalized travellers". With increased funding being given to Libya in relation to these refugee protection programmes, Gerard and Pickering fear that this may "facilitate readmission agreements that enable deportation of asylum seekers from the EU to Libya" and re-establish future exposure to harm for these irregular migrants who have been refused along their migration journey. Other aspects of the externalisation of the border into African territories leads to further issues in relation to the transition moments for those seeking asylum. Gabrielli (2014, p.319) believes that "reinforcing the control in more transited zones pushes the informal migration flows to other roads where the control pressure is lower, but where geographical and climatic conditions supposedly play as obstacles and dissuasion elements". These policy tools have been utilised to dissuade migrants from utilising safer migratory channels for more dangerous options, including crossing the Mediterranean Ocean where the level of securitisation will be lessened.

Ana López-Sala looks at how a state is able to utilise dissuasion as an instrument to tackle irregular migration from migratory channels to the south of Spain. Dissuasion measures have been applied within the countries of origin, for example in Morocco and Senegal where large groups of economic migrants attempt to cross this maritime migratory channel. Spain, in collaboration with the 'International Organisation for Migration' and the Senegalese authorities were able to create 'publicity and information campaigns' to dissuade those who were planning to migrate through irregular channels of immigration to Spain. However, "The testing and use of latest generation technology has been considered a strategic factor to achieve what has been defined by some interviewees as a 'definitive blockade'. One of the results of interviews with

political leaders and state law enforcement agencies carried out in Spain is that, once collaboration with the African countries of origin and transit was achieved, successful control was due to technological factors and intelligence” (López-Sala, 2015, p. 527). Dijstelbloem, Meijer and Besters (2011, p.1) identify how space and power is utilised beyond the physical representation of state agents such as an immigration officer at the different European borders and is reshaped by the modernisation of surveillance through the enforcement of greater control at the ‘e-border’ and in these countries of origin through dissuasion tactics in a two pronged approach. “Behind the scenes, various government services are drawing up risk profiles for all kinds of aliens. If migrants risk crossing the Mediterranean to Europe illegally, there are boats, helicopters, aeroplanes and satellites on the lookout for them”. Coleman (2007, p.620) discusses the USA’s historical external surveillance (mid to late 1990’s) within South America. This period saw the USA’s Department of Justice set up an Immigration and Naturalisation Service in a permanent location within Mexico and Central America tasked with stopping “undocumented migrants and arrest[ing] smugglers before their arrival at US borders. This took the form of joint enforcement operations with host country law enforcement officials (primarily Mexico) as well as through training non-US immigration authorities to act independently as US immigration”. This externalisation of the immigration process leads to issues in the country of origin. Bigo (2004, pp. 61-91) identifies that migrants, through this enhanced level of securitisation have become targets for surveillance, not only in the country of destination (within the European Union) but also in their own country of origin through the process of ‘remote control’ that will continue to be repeated. “The target is not the foreigner but people who look like migrants”.

2.5 Internal Bordering Structure - Bare Life through Social Exclusion and the Criminalisation of the Migrant

Miller and Mills (2020, p.168) outline how the criminalisation of the migrant is a tool utilised by the state to gain further control over policy decisions, legislation and the surveillance of the different spatial phases of migration. “This has sparked fear among EU lawmakers, who associate uncontrollable immigration and refugee integration barriers with a direct threat to local and national security”. Those who pass this bordering structure irregularly require further monitoring for the state or supranational structure to develop a greater understanding. Through this understanding, the state develops tools of surveillance to control and react to the movements of these non-citizens through the use of Surveillance Information Systems. It is through this process that these persons can be removed from the state in what has been described as the Panopticon Europe. Broeders (2007), citing Engbersen (2001) and Bauman (1998) identifies how Panopticon Europe is not ‘a factory of correction’ but a further tool of exclusion.

The state gathers information on the doings and whereabouts of irregular migrants with the explicit aim to exclude them from both its territorial and membership associations. When the state tries to control the institutions and networks irregular migrants use and need for their daily lives, it becomes a more classical ‘panoptic’ effort. This is a strategy of exclusion through the delegitimization and criminalization of all those who may be employing, housing or aiding irregular migrants. Seen from this perspective, the panopticon does contain some elements of correction and discipline as it aims to discipline the social networks and institutional surroundings of irregular migrants.

Broeders and Engbersen (2007, p.1596) further this idea surrounding the removal of irregular migrants within the state through new policy strategies based on “selective inclusion of specific categories of irregular migrants through regularisation programs” but also from this, the use of further detection tools used for the extradition of irregular migrants within the state. Van Kalmthout cited in Engbersen and Broeders (2011, p.88) furthered this position in the realm of irregular migration and utilised a white paper on Irregular Migrants which was published in the Netherlands in 2004 to reinforce the position on the exclusion or expulsion of such migrants. Through this propensity to detain such individuals, “approximately 13 percent of total Dutch penitentiary capacity was for the detention of irregular immigrants”. Albrecht's (2002, p.19) work supports this idea of the criminalisation of the migrant and discusses how the introduction of new criminal law for the immigration and asylum field has been categorised alongside “organised crime and therefore attract punishment which otherwise is reserved for the most serious crimes”. This shift appears to restrict the “free movement of asylum seekers who are placed under the threat of criminal punishment in case of leaving those districts they are assigned to”. De Vries and Guild (2019, p.2160) build upon the ideas of the removal of free movement for asylum seekers while also indicating that these spaces of transit seen in Africa are also witnessed within the European arena in Calais, Greece and Italy. This is seen in particular where asylum seekers have made informal settlements as a response to the rejection of the state or the separation of asylum seekers on arrival in these locations. Here, migrants create ‘hotspots’ in which “migration management practices in these spaces of transit have become increasingly coercive, which has been characterised, for instance, by police violence, the destruction of living spaces and the denial of access to rights”. These coercive means are further tools used to dissuade migrants or asylum seekers from remaining in the state and aim to speed up the process of expulsion.

Schönfelder and Axhausen (2003, p.273) provides evidence of social exclusion occurring for those considered to be ‘at risk’ due to the generalised cost of travel due to the geographical location of these people on the outskirts of society.

If persons find themselves in circumstances where their home location relative to the transport services (low speeds, large distances to stops or stations, large distances to possible places of work, service and consumption) and their available mobility tools (car ownership/access, public transport season ticket ownership) increase these costs (i.e. the psychologically weighted sum of travel times, out-of-pocket costs and comfort) relative to the population average, then they are less likely to engage in travel and are therefore less likely to participate fully in society.

Asylum seekers are placed on the outskirts of society, in locations in which they are unable to communicate with the general public due to language differences, are unable to participate in normal activities due to a lack of income as well as an inability to work due to slow processing times. Thus, the state isolates these specific migrants or asylum seekers from the national ‘taskscape’ which are repeated at all levels of society from the local to the regional to the national which would help ingratiate the migrant population into society. Edensor (2009, pp.242-247) describes the repeated spatial knowledge which is gained through the repetition of mundane tasks “(in retail outlets, public transport systems, entertainment venues, car driving, service infrastructures, and provision)” within society and how this is repeated from the local to the regional and to the national level in what he refers to as national ‘taskscape’. Thus, it can be said, through the absence of relations to the national ‘taskscape’, these migrants are lost in the spatiality of control. In Agamben’s work in ‘Homo Sacer’, the Direct Provision System, personifies the ‘bare life’ concept in which the biological fact of life is placed above

the way life is lived. Those living in the Direct Provision system lack purpose and relationships to the wider Irish society beyond the territorialised structure in which they are encouraged to live in, for basic human needs and survival. In Marc Augé's 'Non-Places' a similar alteration of awareness has been created with these areas that lack any form of social life such as supermarkets, ATM's and Motorways in the new supermodernity of the world and can be comparable and help us understand what is occurring with the diffusion of people into deterritorialised areas as proposed in the "White Paper on Ending Direct Provision". "We are in an era characterized by changes of scale – of course in the context of space exploration but also on earth: rapid means of transport have brought any capital within a few hours' travel of any another. And in the privacy of our homes, finally, images of all sorts, relayed by satellites and caught by the aerials that bristle on the roofs of our remotest hamlets, can give us an instant, sometimes simultaneous vision of an event taking place on the other side of the planet" (Augé, 1995, p. 31).

Lauren L. Martin believes that through this capitalist system which has been accentuated through globalisation, the nation state has placed a monetary figure on the movement of migrants into the state in what Martin (2021, p.752) calls the 'Carceral economies of migration control'. "For value to circulate in these economies, migrant life must be valued, translated and commensurated. US detention, UK and Greek debit cards and Assisted Voluntary Return show how the project of staying alive in detention (eating, washing, staying warm) becomes commodified as service provision". The monetary value placed on the migration system is in direct correlation to the 'for profit' system which has led to the part privatisation of the international protection process for the last 20 years in Ireland. This system is predicated on the territorialised structures of direct provision centres, located in rural, remote areas in which asylum seekers are unable to integrate into society and become dependent on the state for

survival. For sociologists like Loïc Wacquant and Virgílio Borges Pereira and urban geographer Tom Slater, the negative connotations associated with place are central to ‘Territorial stigmatisation in action’. Certain aspects such as how areas are perceived due to the people who live there, the history of the area, what is seen on television or film, what lyrics are written in songs or the genre of music that relates to the area along with racial profiling of areas for example can all negatively impact into the factors as to why certain actors within the region act in a certain manner. With the prolonged repetition of these actions from these specific actors, this behaviour spreads and can cause rifts between cross community ethno-religious backgrounds in particular. “Territorial stigma is closely tied to, but has become partially autonomized from, the stain of poverty, subaltern ethnicity (encompassing national and regional ‘minorities’, recognized or not, and lower-class foreign migrants), degraded housing, imputed immorality, and street crime” (Wacquant, Slater and Pereira, 2014, p. 1273). Banai and Kreide (2017, p.910) provide evidence of territorial stigma in relation to the Muslim population of Germany which were supported from their excluded position “not because of the need to encourage the equality and participation of marginalized and disadvantaged groups in society, but because of the potential violence that poverty, alienation and exclusion might yield. In this sense, the struggle for social equality ironically became linked to securitization”. In Devine’s research, the lack of provisions made to those entering the state was the early approach by the state in an attempt to reduce the integration of immigrants into Irish society. This was seen at certain levels of the public sector in which the lack of support provided to teachers in the implementation of intercultural education and the initial actions of enforcement by the Irish police force in relation to illegal immigrants led to issues for those in the public sector. “This is borne out by the failure to implement a programme of in-service training for teachers, and a minimalist approach to the training of those appointed as language support teachers in schools. Furthermore, the ‘temporary’ nature of teacher appointments in the area of

language support in itself signals a conservative and restrictive policy approach to the area” (Devine, 2005, p.66).

David J. McNerney (2020) explores how ‘territorial stigmatisation in action’ may appear within an Irish context. In this, McNerney recalls how an operation which involved the sweep of a specific area in the search of illegal immigrants under the name ‘Operation Hyphen’ in 2001 may have negatively impacted the way in which Garda perceived the increasing numbers of immigrants entering the country at the time. “Two hundred Gardaí were assigned to this operation, conducting a ‘sweep’ of premises suspected of housing illegal immigrants. This resulted in immigration in general being associated in people’s minds with ‘illegal immigration’, and may also have played a part in the shaping of police behaviour towards ethnic minority individuals”. Stolcke (1995, p.8) provides an insight into cultural fundamentalism which views immigrants based on their cultural ‘phenotypes’ “rather than “races” being construed for anti-immigrant resentment”. The origin of an immigrant has now become the area of contention. “Specific power relationships with the countries from which extracommunitarian immigrants proceed and the exploitation they have undergone explain why “they”, rather than, for example, North Americans are the targets in Europe of this rhetoric of exclusion”. Fanning and Mutwarasibo (2007, p.450) furthers this point raised by Stolcke in an Irish context with the cultural fundamentalism which has taken place within Irish society and the use of the term ‘non-national’. “Descriptions of immigrants as ‘non-nationals’ allude to their invisibility within the dominant imagined community except when they become visible through the evocation of pejorative stereotypes which are then projected on to the immigrant population as a whole”. Through this deconstruction, the migrant is stripped of their “own distinct histories of belonging and recognition” thus further dehumanising the migrant experience.

2.6 Conclusion

The themes of borders, migration, geopolitics and surveillance, explored in this chapter link to key themes within my own research. By dividing each section into specific bordering moments, I was able to categorise and outline what tools are utilised by states at each phase of the migrants journey. In separating these specific bordering moments, I believe this idea of a fluid and mobile border is enhanced. This was most apparent in section 2.3's Personalised borders where the discussion around the state's ability to mobilise the border through Visas and passports beyond these specific locations and space without a finite end through cyberspace is most clearly witnessed. Through this understanding, each phase of the migration system operates as a matrix of state operated cogs working simultaneously to reinforce and support each other in the ultimate goal of protecting the state.

3 Methods - Qualitative Methods

Qualitative research analyses and interprets non-numerical data or data that is produced with words. Sofaer (1999, p.1110) outlines that the most common methods used in qualitative research “are key informant interviews, structured observations of events and interactions, and the collection and content analysis of relevant documents. Interviews can vary from the unstructured to the highly structured, but the questions remain overwhelmingly open-ended”. Within my research, I utilised two qualitative methods, interviews and documents in a blended approach to support the production of my paper. I chose these specific qualitative methods as the documents I researched, and the key informants I interviewed, are interdependent in the process of enforcing control on migrants throughout the migration system. Sofaer cited in Curry, Nembhard and Bradley (2009, p.1443) identifies that “Qualitative methods can be helpful in identifying and characterizing multifaceted organizational dynamics that can influence outcomes, including organizational culture, clinical leadership, and team-based interactions”. Through these hybridised techniques, new geospatial patterns of control began to emerge within my research. This is supported by Hancock, Ockleford and Windridge (2001, p.4) in that “Qualitative research attempts to broaden and/or deepen our understanding of how things came to be the way they are in our social world”.

My interpretation of qualitative data was supported by Critical Discourse Analysis (CDA). This meaning making exercise furthered my understanding of the links between language use and its social context. Within my research I utilised CDA as a method to explore Geopolitics and the utilisation of state power through policy documents and through conversations with elite state actors to uncover the true meaning behind the terminology and language used to control. As Fairclough (2013, p.19) states, “CDA is a loosely interconnected set of different approaches, which differ for instance in the relative weight given to social as opposed to cognitive issues,

or in the relative centrality given to social change (and therefore to concepts and categories such as interdiscursivity and recontextualization)’’.

3.1 Interviews

My interview structure was informed by key legislation concerning immigration and enforcement. This procedure enhanced my understanding of how the Irish state has created an environment of control throughout its territory by utilising legislation and the assemblage of departments, state actors and territorial state structures to shape Irish society. Through the rearticulation of policy, the state has been able to govern the movement of migrants at all scales of the migration system.

I divided the Irish migration system into four key categories prior to interviewing in an effort to highlight the connections in space that these varying sectors (enforcement, accommodation, support services and legislation) share within this matrix to enforce state power. I conducted qualitative research in the form of eleven interviews with elite stakeholders located in Ireland and who’s work spans across the European Union in varying roles. My research participants consisted of six members of an Garda Síochána (Detective in the Serious Investigation Unit, attached to the Crime Office, Detective in Intelligence Unit, Detective Sergeant of Immigration Unit Cork City Division, Inspector, Immigration Officer (GNIB) and Detective Superintendent), a Lieutenant Commander of the Irish Navy, Advocacy Service Manager of Nasc, a national NGO, Chief of Operations for IOM Ireland, the International Organisation for Migration, a spokesperson for the Transparency Section of the Department of Justice as well as Catherine Day, ex-Secretary General of the European Commission (who has also had other functions relevant to this question). This group of participants provided my research with a

solid base in relation to understanding the operationalisation of legislation in a real life setting. This was achieved by highlighting the connective moments that these departments, agencies and NGOs share in upholding the migration system. In regard to Catherine Day's interview, I developed a deeper understanding of the different variables considered within the decision making process of policy creation at the national level.

Interviewees were contacted through various means such as emailing state websites (garda.ie, ipo.gov.ie, gov.ie) and their respective email addresses at the national level. At the local level, I contacted my local Garda station in Anglesea Street Garda Station and their respective Immigration Unit by telephone and email. This particular Garda station is the Southern Regional Headquarters which gave me access to Garda units that operated beyond the city limits. This ability to involve my research at a variety of scalar moments provided further insight into the connections that are made between these departments and agencies throughout the state. The interviews were conducted in a variety of locations and through different mediums. Five interviews were conducted in person, four within Anglesea Street Garda Station, Cork and the other within Cork Airport. Three interviews were completed over the telephone, two interviews over MS Teams and Skype and one interviewee's answers were constructed through a word document after continued dialogue between myself and the participant. The interviews were semi-structured, taking anywhere from 12 minutes to 45 minutes (One interview being 3:32 minutes as the exception). My impulse to use semi-structured interviews came from the ability to "sequence questions to generate free-ranging conversations about research topics that are directed by what participants have to say" (Roulston and Choi, 2018, p.233). Through this qualitative approach, I was able to structure interviews around certain topics to maintain the flow of conversation as well as fill significant lacunae in my research.

Interviewing is a common form of qualitative research in which experiences and opinions can be better translated through the questions that are posed to the respondent, providing a uniqueness to the form of qualitative data that is gathered from the research. Adams (2015, p.493), in discussing Semi-structured interviews (SSI), outlines the importance of blending “closed- and open-ended questions, often accompanied by follow-up why or how questions” can lead to a greater flow in conversation. Through this procedure, other topics of interest which may have been neglected in other forms of interview structure were acknowledged or explored in greater depth. In this process, “participants are free to respond to these open-ended questions as they wish, and the researcher may probe these responses” (McIntosh and Morse, 2015, p.1). Edwards and Holland (2013, p.5) explore how the interviewer and interviewee “bring with them concepts, ideas, theories, values, experiences and multiply intersecting identities” which can be utilised to improve the “research interaction in the qualitative interview”. For this reason, each interviewee required research into their career background, through reading online newspaper articles about certain elite participants and through researching certain websites which each participant was employed to. This process provided my interview structure with a greater focus on each participant and led to a more deliberate procedure when choosing who to interview to further the research paper. Warren (2002, p.4) discusses how the ‘individual’ has become an important part of understanding the collective (population) in qualitative interviewing research and through prioritising the individual, “the interview has increasingly democratized experimental information”. Those I interviewed provided key, real world examples of the utilisation of policy to enforce control throughout their specific scales of jurisdiction as well as broader descriptions of more sensitive issues in relation to the asylum process to avoid issues in relation to GDPR and ethics. Taylor (2005, p.41) furthers this idea with his discussion around how qualitative interviewing may be the

most appropriate method to uncover “how participants understand and construct meanings about the experiences of their daily lives”. As a result, each interview would begin with common open ended questions. ‘What is your role? What departments or agencies do you work alongside?’ These questions provided my research with a solid standing with which I could now begin to connect the interviewees to one another to help better understand the landscape of the migration system as well as their roles on a day to day basis within this structure.

The interview process was not free from complications. Issues arose during the recording and transcribing portion of this interview style. Two recording devices were utilised to help prevent the loss of interview data. Nordstrom (2015, p.389) brings to the reader's attention that as a researcher, we are dependent on recording devices in our attempts to analyse and discover meaning and knowledge. “In their inseparability, different onto-epistemological conceptualizations and practices about meaning, knowledge, and writing become intelligible”. In collaboration with the use of recording devices, notes were also taken during the interviews. However, this more simplistic form of data collection as a stand-alone method can lead to misunderstandings or misinterpretations within the data gathered. Wellard and McKenna (2001, p.181) examined issues in relation to research undertaken within contemporary nurse studies in 1998 in which note taking was used as a form of data transcription in the process of turning audio tapes into transcription.

While all papers referred to taping the interviews, 66.7 % (n = 28) reported they ‘transcribed’ the interview but provided no further detail. A further 21.4% (n = 9) reported ‘verbatim’ transcription and 12% (n = 5) reported transcription in ‘full’. It was unclear what, if any, difference there was between ‘full’ and ‘verbatim’

transcription. Only five papers (12%) reported any form of check between the content of the transcript and the original tape or participant.

Halcomb and Davidson (2006, p.38) outline that ‘Verbatim transcription’ “is widely considered to be integral to the analysis and interpretation of verbal data”. Transcripts were created after the completion of each interview with the verbal consent of the interviewee to avoid problems of misquoting or the misrepresentation of information in other forms of transcription such as note taking. Along with this procedure, every interviewee in this process was willing to have their role and title referenced within this research. In all, only two participants wanted their name to be kept anonymous or for transcriptions to be sent to their personal email address for further review. Therefore, the names of these contributors have been kept anonymous. In all cases, such requests were met.

3.2 Elite Interviews

The participants for my research consisted of those in senior positions within a selection of Ireland and Europe’s key immigration and enforcement departments and agencies. Members of An Garda Síochána in particular utilised their own connections within their hierarchical structure to survey interviewers who wished to interview other Gardaí. Lancaster (2017, pp.95-96) identifies this aspect of coordination between policy makers within a department during his research in a similar manner to my experiences within Anglesea Street Garda Station. “I would invariably receive an email or telephone call suggesting that I speak to a particular individual within that department”. In many instances, the connections made within previous interviews would lead me to gain new contacts in new sections of the Garda hierarchy and in other sectors of the migration system. Paired with this, due to the open-ended nature of the

interview process and the ability for conversation to flow, many participants were willing to maintain a form of dialogue (email/ phone/ text message) outside of the interview to further support the research.

Beamer (2002, p.87) explores how elite interviews can be utilised to gain an “in-depth exploration of specific policies and political issues. The resulting information offers not just the potential for a richer description of political processes, but also for more reliable and valid data for inferential purposes. Elite interviews are a tool to tap into political constructs that may otherwise be difficult to examine”. However, as Richards (1996, p.199) states “One of the most important functions of an elite interview is to try to assist the political scientist in understanding the theoretical position/s of the interviewee; his/her perceptions, beliefs and ideologies”. Elites, in this sense are able to mask certain viewpoints “from a methodological perspective and as a result of their specific interpretive knowledge (“know why”) and procedural knowledge (“know-how”)” (Littig, 2009, pp.98-99). Within my own experience of interviewing elites, certain portions of interviews were deemed to be ‘Off the Record’. Other operations to mask personal opinions led to the transcribing of answers within a word document after preclearance from superiors or through the request of the elite to review transcripts. Dexter (2006, p.6) states that this tool is utilised by the elite interviewee “to correct any mistakes and misunderstandings, or hide something that might have occurred in the interview” to protect the integrity of the wider state system.

Sin (2003, p.305) discusses how feminist researchers have often highlighted the power dimensions which are involved when conducting elite interviews and draws particular attention to the contributions made by feminist geographers “by attempting to spatialize the construction of identity and knowledge” within this process. The location of the in-person interview was a

defining feature of the elite interview due to the overt level of state control being witnessed throughout the process. On entering Anglesea Street Garda station, the structure of the main entrance of the building is circular with surveillance cameras covering the entire floor space, similar to the idea proposed by Bentham's panopticon. Once in the building, you are required to make your presence known to a member of an Garda Síochána who will inform you to wait. After this procedure is completed, you are welcomed to the Garda station and pass through a locked door, to which you are finally brought into a questioning area. Three in person interviews took place within the same questioning area, with one other taking place within the office of the Detective Superintendent. This interview space which was utilised for three of the interviews did not have any windows and was accessible for members of an Garda Síochána for what appeared to be the sole purpose of questioning. These territorial structures in which "the power balance favoured the respondents rather than myself" produced "micro-geographies" (Elwood and Martin, cited in Rice, 2010, p.73). Through this understanding of how space is constructed by the state, or in this specific instance, the elite interviewee, "any given location, therefore, is a setting for a variety of social, political, and economic activities and relations that operate at and through multiple scales" (Elwood and Martin, 2000, p.650).

By using a blended approach to research, policy and legislative documents were used to pinpoint certain gaps within my interview process. This aspect of qualitative research not only provided the rationale for my understanding of state legislation but identified the specific elite participants involved in each procedure. As I developed contacts within these elite settings, further opportunities arose to interview people who operate outside of the more conventional forms of migration management. In this interview process, externalised border procedures and their operationalisation were identified, particularly in relation to the prevention of drug trafficking outside the state. This discovery led to further discussions on the external processes

of the state such as the prevention of human trafficking and cross state partnerships within the European Union to externalise the border. This development led to a greater personal inquiry into the state's ability to externalise bordering processes through policy and legislative documents which informed much of my thematic pursuit within Chapter 5.

3.3 Documents

“Documents provide a mechanism and vehicle for understanding and making sense of social and organization practices” (Coffey, 2014, p.367). Within my research, I first utilised documents to inform my understanding of the state's designated procedure to enforce control on certain categorisations of migrants throughout the migration process. Throughout the interview process, documents were used as a reference point to further reinforce the operationalisation of control throughout the state's jurisdiction. In the final phase of this process, documents were used in conjunction with interview data to reaffirm or question the operationalisation of state power in a real world context. To enhance this form of analysis, I utilised Critical Discourse Analysis (CDA) to deconstruct language to understand its core function in a social context.

CDA is a qualitative research method that highlights how “discourse is an opaque power object in modern societies” (Blommaert and Bulcaen, 2000, p.448). This particular method of analysis can be utilised to portray how states through legislation creation shape society. Vaara, Sorsa and Pälli (2010, p.688), outline how CDA is used to approach discourse in a three stage process in which ‘linguistic structures’ are first closely analysed, from this position ‘the community and its behaviour’ are observed through their interactions with these discourses. “Furthermore, at the third level one then focuses on the broader context: how texts and discourses are used in

situational and institutional contexts that they both index and construct”. Through the use of CDA, Marston (2002, p.85) explores how “discourses have micro features, in terms of their linguistic structure; however, discourses also operate above the level of the sentence. At this macro-level, systems of discourse are closely associated ideology, hegemony and with the enactment and legitimation of power”. Scale, therefore, is a defining factor as to how CDA can be deployed in its application. Through this application of CDA, I was able to uncover different themes of discourse within the policies of enforcement and immigration which were further developed within the interview process through real world examples. The main policies and white papers I utilised to uncover these themes were ‘Aliens Act 1935’, ‘Immigration Act 1999, 2003, 2004’, ‘International Protection Act 2015’, ‘McMahon Report (2015)’, ‘Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process (2020)’ and A White Paper to End Direct Provision and to Establish a New International Protection Support Service’(2021). Other policies such as ‘Air Navigation and Transport Act 1973’, ‘Public Order act 1994’ and ‘Section 30 of the Offences Against the State Act 1939’, ‘Section 4 of the Criminal Justice Act 1984 Ireland’ and ‘Section 50 of the Criminal Justice Act 2007’ among others were utilised in the procedure of supporting interview data. Key themes that were developed after the completion of this process were the increased levels of securitisation at the point of entry, the externalisation of the border of the state as well as exclusion and the internalised bordering process which all connect throughout various moments in time and space within this matrix.

At the points of entry, CDA can be used to identify shifts within border securitisation legislation and its implementation. One such piece of legislation which enhanced border securitisation was the ‘Immigration Act 2004’ which made provisions “for the appointment of immigration officers and criteria for permission to land. The Act empowers the Minister to

make orders regarding visas and approved ports for landing, and imposes limits on the duration of a non-Irish nationals stay” (Immigration Act 2004 | The European Migration Network, 2022). Through the implementation of deterritorialised bordering processes such as Visa orders and passports while travelling to Ireland, the state has found new ways to control migrants at all phases of their migration journey. The new powers provided to GNIB officers at the border is a reterritorialisation of Ireland’s bordering process by granting these state actors “power to enter or board any vessel, and to detain and examine any person arriving at or leaving any port in the State who is reasonably believed by the officer or inspector to be a non-national, and to require the production of a passport or other equivalent identity document by such person” (Immigration Act 2004).

In the case of *Laurentiu v Minister for Justice, Equality and Law Reform* [2000], CDA can be utilised to uncover the externalisation of the Irish border. Issues surrounding the ‘Aliens Act 1935’ led to this piece of legislation being challenged as it was deemed to be unconstitutional, thus removing its influence on the construction of space within Irish society. The Immigration Act 1999 ‘No. 97/1999 - Aliens (Exemption) Order, 1999’ was introduced to replace the Aliens Act 1935 ‘Section 10 (1)’ as it was “found to be unconstitutional in the manner in which it gave the Minister for Justice, Equality and Law Reform the power to deport” (Immigration Act 1999 | The European Migration Network, 2022). To remedy this gap within the Irish Justice System, the state introduced new legislation in the form of the ‘Immigration Act 1999’ in which, “the Minister may by order (in this Act referred to as “a deportation order”) require any non-national specified in the order to leave the State” (Immigration Act 1999). This restructuring of legislation provided further measures for state actors to detain and deport Non-Irish Nationals and therefore remove such individuals from the state legally. This shift in policy in relation to

the deportation and exclusion orders of illegal immigrants occurred in a period of cultural change in which Ireland became a country with a net inward migration pattern.

This legislative rearticulation was repeated within the ‘Immigration Act 2003’ introducing carrier liability which not only projected the Irish border to airports globally by fining the airline carrier for failure to uphold this new policy change but also further removed the state from social issues relating to “the return of persons refused leave to land, usually by the carrier responsible, to the point of embarkation” (Immigration Act 2003 | The European Migration Network, 2022). Within the interview process, the externalisation of state power outward through enhanced border securitisation measures was witnessed within the Detective Superintendent of Anglesea Street Garda Station’s work with MAOC-N. This leading European Agency is tasked with the prevention of human and drug trafficking at the outer limits of the EU and beyond. This particular aspect of state control further supports the connective nature of the Irish migration system which is shared through the assemblage of state offices, departments and actors from the local to international level and is further examined within Section 5.4.

The policy discourse from ‘Alien Act 1935’ to ‘A White Paper to End Direct Provision and to Establish a New International Protection Support Service’(2021) is a complete reordering of the linguistic structure of policy writing and the progression of language in regard to migrants who are within the state. Terms to describe migrants such as ‘alien’ have been replaced by ‘people’ which humanises those in question. Fan (2019, p.1045) discusses how people use classifications to label and ‘give order to the outside world’. “That is, different views of things and experience will lead to different classification principles”. This dehumanising

classification created by the state to refer to migrants is a micro-level example of how CDA can be deployed to navigate through linguistic structures of control and how states utilise discourse to exclude people through categorisation. The utilisation of this noun has negative connotations associated with its use, and further creates differentiations between the host population and the migrant within the state. At the macro scale, while analysing these policy documents through my understanding of CDA, policies that are created are used to influence how space is created, “from this perspective, power is configured across society so that particular individuals and organisations ‘possess’ power, which they can use to achieve certain outcomes, whilst others are ‘powerless’” (Smith, 2006, p.644).

This process of excluding migrants in the state was replicated within the accommodation and provision aspect of migration management. The Direct Provision system (2000) “was designed as a short-term emergency measure. Instead it has lasted more than 21 years” (End Direct Provision - Amnesty International Ireland, 2022). This system remains a cause for concern due to the cramped conditions witnessed in these peripheral territorialised locations. Catherine Day, who chaired the ‘Day Report’ which was influential in the creation of the white paper, following on from the ‘McMahon Report’ (2015) and the improvements made within ‘International Protection Act 2015’, provided a clear indication of positive shifts in relation to the proposed treatment of international protection applicants within the interview. This was to be achieved with the greater involvement of international protection applicants in Irish society through ‘own door accommodation’ in a deterritorialised process. “Homes will be situated within the community, with supports to encourage interconnectedness”. (Government of Ireland, 2021, p.29).

However, behind the reordering of the asylum system, state power still remains the clear focus in the dissection of these policy documents with the use of ‘resettlement workers’ to maintain a connection with those in the asylum system in Phase 2 of this process as well as the issuing of PPS numbers “when you arrived at the reception centre” (Catherine Day, 2022). This process provides the state with an almost instantaneous understanding of who is in the state at any given time and acts as a further layer of securitisation through the greater interaction of the state with the asylum seeker or migrant. “The new system will provide a structure of accommodation and supports that ensures people who are applying for protection are helped integrate into Ireland from day one, with health, housing, education, and employment supports at the core of the new system” (O’Gorman, 2021, p. 11). In providing supports and accommodation, the state is able to chronologically plan and order the movement of migrants within the state to these state owned locations. This process follows a scalar principle and therefore acts as a tool to transfer control from one organisational structure to the next in this linear procedure.

3.4 Reflexivity

Holland (1999, p.482) provides insight into the restructuring of one's own proclivities and knowledge within a subject to help better understand the reflexive realisation that can occur when you remove yourself and approach the subject from a metaphysical perspective. “However, such movement is a struggle, reminding us- should dualistic knowledge be an aspect of social structure- that the journey to a sociopsychological meta-position is an attempt to reconceive our human existence”. You begin to wonder what you could have done differently and whether or not your research has taken a step back due to the decisions you have made throughout the process. Through the process of categorising and breaking down your interviews and the policy documents into specific themes and through choosing interviewee’s,

you use your personal experiences to help in your selection process. “One recurring problem with discourse analysis is deciding at what level one defines a discourse” (Howarth and Torfing, 2004, p.300). In discourse analysis and reflexivity, you begin to think, would someone outside of my ethnicity, gender, class or race have the same experiences as myself? Rennie (2006, p.54) explores reflexivity and radical reflexivity for psychotherapy clients between their therapist and themselves. “They are radically reflexive when thinking and feeling about this felt sense. It is then that they have a relationship with their experiencing of self”. My positionality, being a Caucasian male who holds centrist ideals influenced the way in which I perceived responses from key informants but also how the key informants perceived me. Salzman (2002, p.808), disagrees with this thought that one cannot observe or appreciate something if they are not from that specific classification of human characteristics as it seems to doubt human capabilities for ‘empathy, sympathy, and imagination’ and thus, becomes “a political boundary to silence people beyond constructed boundaries”. Therefore, although my personal experiences may be different to someone else, there is no reason to think that someone will be unable to grasp what I have found within my research but their opinion may differ on the findings.

4 Process of Filtration at Ports of Entry for Voluntary Migrants

At the ports of entry, three main categories of voluntary migrants arrive at Ireland's borders: UK citizens, EEA citizens and non-EEA nationals. In this spatialised moment, the Irish state enlists the support of different departments, agencies and state actors, utilising different methods, at various scales simultaneously to enforce control based on the citizenship of an individual as a prerequisite for entry. This procedure occurs systematically throughout the migration matrix in which each function of the system is informed through state and international legislation (European Union).

This chapter will follow, in particular, the visa requiring non-EEA citizens' migration journey from their country of origin to the Irish state. Through this procedure, I will highlight the varying operations of control operating beyond the point of entry, at the point of entry as well as within the state for non-EEA citizens to register their permission to live within the state. For migrants travelling to Ireland, the state is able to enforce control through 'hierarchies of rights' (Komarova and Hayward, 2019, p.541) based on the citizenship of an individual. The hierarchy of rights are created through the shared border regimes between Ireland and the United Kingdom at the Ireland-UK border and Ireland and the European Union at the Ireland-European external EU border. For migrants outside of these regions, the state has an enhanced level of control over bordering procedures. Therefore, further restrictions and control measures to enhance the level of interaction between the Irish state and non-EEA citizens are enforced for this migrant category. These border procedures are in place to reaffirm and gather personal information through each stage of the migrant journey. Each bordering procedure operates in a cyclical pattern to inform the next organisation involved in the entry process.

The state operates in a non-physical aspect of control from the country of origin through ‘remote control’. This is achieved to establish a paper trail on non-EEA citizens prior to arriving in the state. At the Irish state’s ports of entry, the first physical face to face interaction between the migrant and the state takes place to establish permission to be in the state. This procedure is undertaken to corroborate the data collected through ‘remote control’ procedures as well as to identify oneself so they can proceed in the registration process. Within the state, control is diffused throughout the state’s territory in the process of registration and handled by the Irish government’s department of Justice’s immigration organisations Immigration Service Delivery and GNIB (attached to an Garda Síochána) through further physical interactions. As the migrant completes this procedure for entry, non-physical tools are utilised again, such as ‘registration certificates’ to maintain control in a mobilised bordering procedure throughout the state.

Note: This research will focus on migrants who wish to reside in the state (stay longer than 90 days).

4.1 Legislation for Entry into State - UK citizens

Ireland operates its border controls under the preconditions of the ‘Memorandum of Understanding’ (2019) for ‘Common Travel Area Arrangement’ (CTA) (1922) with the United Kingdom. “The Common Travel Area gives Irish and British citizens the right to move, reside, work and study in each jurisdiction. These rights associated with the Common Travel Area apply only to Irish and British citizens. They do not apply to nationals of other countries even if they are resident in Ireland or the UK” (Government of Ireland, 2021). The ‘CTA’ has

been “in existence since 1922 which preempts all the EU” (Detective Sergeant, Immigration Unit, 2022).

In 1997, the ‘Treaty of Amsterdam’ identified that “Ireland and the United Kingdom of Great Britain and Northern Ireland, which are not bound by the Schengen acquis, may at any time request to take part in some or all of the provisions of this acquis” (Treaty of Amsterdam, 1997, p.95). In reaffirming the ‘CTA’, the Irish state refused to join the Schengen Area with the UK due to the exceptional nature surrounding the border located between the Republic of Ireland and Northern Ireland. During this period, “The removal of the British military from the border region after the Good Friday Agreement of 1998” (Emerson, 2011, p.3) led to soft borders between the Republic of Ireland and Northern Ireland. In 2019, both governments announced that they would continue their relationship through the ‘Memorandum of Understanding’ in which both states committed to uphold the ‘CTA’ (1922) after the UK voted to leave the EU in June of 2016. Due to these legislative decisions, the land border is managed without any systematic controls. Issues can arise in relation to the migratory patterns of immigrants arriving in either state outside of these specific classifications (UK and Irish citizens) due to the lack of control that can be exerted within this space.

Catherine Day (2022) takes a critical look at how the Irish border is constructed and disputes the idea of functional border controls between Ireland and the United Kingdom. Day, within her interview, claims that there is an increase in asylum seekers travelling to the IPO in Dublin who have bypassed border controls at the points of entry. The soft border with Northern Ireland has led to increasing numbers of asylum seekers travelling to Ireland due to the restrictive policies seen in the United Kingdom. This Memorandum of Understanding between the UK and Rwanda governments “to establish an asylum transfer scheme” (Goddard, 2023) “If

passed, would amount to an asylum ban – extinguishing the right to seek refugee protection in the United Kingdom for those who arrive irregularly, no matter how compelling their claim may be. The effect of the Bill (in this form) would be to deny a fair hearing and to deny protection to many genuine refugees in need of safety and asylum” (United Nations High Commissioner for Refugees, UK asylum and policy, 2023).

One of the problems I think that bedevils the Irish asylum system is you mentioned border controls but we don't really have much border controls especially between us and the UK because we have no controls on the border with Northern Ireland and there has been a recent spike in people, don't only apply for asylum when they come to the airport, increasing numbers have been going to the main office in the centre of Dublin which means that they are already in the country, now have they come in, maybe some are illegally smuggled but I don't think that's a big number, some are probably coming through, getting to the UK and coming on through the UK because of the very restrictive policies there.

4.1.1 EEA Nationals

For citizens of the European Union, extended states a part of the European Economic Area (EEA) and qualifying family members travelling to Ireland, the state is required to act in accordance with various pieces of legislation that support the free movement of these categories of migrants throughout the European Union. Ireland’s participation within this area is a key factor in the policy decisions enforced upon migrants within this region. “The EEA is an area of free trade and free movement of peoples comprising the member states of the European Union, in addition to Norway, Iceland and Liechtenstein” (Department of Enterprise, Trade

and Employment, 2023). With Ireland's participation in both the European Union and European Economic Area, the state and its citizens are required to vote on treaties that will shape the preconditions for entry into a state. "Article 45 of the Treaty of the Functioning of the European Union grants free movement to workers. The Maastricht Treaty 1992 created EU citizenship and widened the scope of free movement" (Citizensinformation.ie, Freedom of movement in the EU, 2022). The 'Maastricht Treaty' (1992) provides EU citizens with the ability to travel and remain in another EU state for 90 days. The 'Agreement of the European Economic Area' (1994) builds upon the 'Maastricht Treaty' and grants EEA citizens a further three months to search for employment. EEA citizens who find employment are entitled to remain within the state if they can support themselves and their family members/dependents or if "you are a student, have enough resources to support yourself, and you have comprehensive health insurance" (Citizensinformation.ie, Coming from the EU/EEA to work, 2021). EEA citizens can apply for a permanent residence certificate if they have lived within the state for five or more years. This process will allow "you to work in Ireland for a further 5 years without the need for a further work permit" (Immigration Service Delivery , *Long term residency*, 2022).

Qualifying family members are allowed into the state and to live with other EEA citizens within the state through 'EU legislation (Directive 2004/38/EC)', "the Irish legislation which gives effect to this Directive is the 'European Communities (Free Movement of Persons) Regulations 2015' (S.I. No. 548 of 2015) and 'European Communities (Free Movement of Persons) (Amendment) Regulations 2021' (S.I. No. 445 of 2021)" (Immigration Service Delivery, EU treaty rights 2022). However, if these family members are non-EEA citizens, they will need to apply for residence cards within the state and in some instances based on the citizenship a migrant holds, a visa prior to entry. In this phase of registration, IRP cards can be acquired

through registering “with the Garda National Immigration Bureau (GNIB), but as family members of an EU/EEA citizen, there will be no charge for this registration” (Tech Life Ireland, Information for EU citizens moving to Ireland, 2022). In placing restrictive measures on non-EEA nationals, the state is able to further categorise migrants arriving at the ports of entry in this initial bordering process in a manner that is not possible for migrants with European citizenship. This process is replicated with refugees outside of the “automatic entitlement to family reunification for their immediate family” (Spokesperson for DoJ, 2022). For these family members outside of this, “there are economic requirements that people must meet in order to have that family join them in Ireland” (Spokesperson for DoJ, 2022) which is outlined within Section 56 of the ‘International Protection Act 2015’.

4.1.2 Non EEA Citizens

Through the connections Ireland has made with the UK and the members of the European Economic Area respectively, common legislation is created to maintain the relationships between said geopolitical actors. These pieces of legislation play an important role in how Ireland interacts with the world through its bordering processes and how certain categorisations of migrants arrive at Ireland’s border. Al-Rodhan (2009, p.28) acknowledges that “states have to be increasingly concerned about how their own actions are viewed by people in other states and worry about their international image - an integral component of their power. Hence, public diplomacy - promoting and justifying one’s foreign policy actions among a broader public - has become a new part of modern statecraft”. For migrants outside of these regions, the state has an increased level of sovereignty over decision making and thus, the state creates additional levels of securitization measures and requirements to enter and live within the state. This classification of migrants, Non-EEA citizens, are split into two general categories based on

nationality, Visa requiring and non-Visa requiring. The process for both categories of Non-EEA citizens to enter and live within the state is witnessed at various moments along the migrants journey. Cuttita, Broeders and Hampshire in Section 2.2 outline that in this process, the externalisation of state power is felt in the country of origin through a process of 'remote control' in which certain non-EEA citizens are required to apply for a visa prior to travelling to the Republic of Ireland. A Spokesperson in the Department of Justice (DoJ) (2022) outlines the role ISD plays in the externalisation of the bordering processes of the state for non-EEA citizens prior to entry. The spokesperson in the DOJ identifies that within this process of immigration, a migrant can be successful in gaining an employment permit from the Department of Enterprise, Trade and Employment however, can ultimately fail to gain an employment Visa from the 'Immigration Service Delivery', an executive office of the Department of Justice. This procedure identifies the strict nature of control the state can enforce on the Visa process for states that do not share a border with Ireland.

The ISD deals with all immigration matters for persons who wish to travel to Ireland. First things first is, any person who is travelling to Ireland, must, if they are Visa required, apply for a Visa and if that be required if they are non-EEA national they will be met by an Immigration Officer at the port of entry that they arrive to at the state. Where a person is coming for work, their first thing is they must make an employment permit application, if that permit is granted, then they make an application, if they are a Visa required person, they make an application for the appropriate employment Visa. However, the granting of an Employment Permit by the Department of Enterprise, Trade and Employment is a totally independent function on the Visa process and the person can and could be and will be refused a Visa if their circumstances don't pan out. In other words you could be getting an employment permit from the Department of

Enterprise, Trade and Employment but once they examine then the Visa. An employment permit of course and then they look for the Visa, if the Visa is refused, regardless of the granting of the employment permit, it will not be overturned, you can appeal it but if that is upheld, then you are not travelling to Ireland to take up the opportunity of employment.

In completing this section of the process, Non-EEA Visa requiring citizens “can generally expect a decision within 8 weeks from the date on which your application is lodged at the visa office, embassy or consulate” (Immigration Service Delivery, Employment visa, 2022). Non-EEA citizens are also required to apply for permission to ISD “to work, study, live or join family in Ireland” (Immigration Service Delivery, Immigration permission/stamps 2022). As the process continues at the airport or port in the country of departure, documents such as a type ‘D’ Visa (long stay) for non-EEA Visa requiring citizens and passports for all categorisations of migrants are produced to carriers prior to boarding in this extension of state power. This piece of legislation is defined in Section 2-(1)(c) of the ‘Immigration Act 2003’ which outlines carrier liability for all non-nationals “on board the vehicle seeking to land in the State or to pass through a port in the State in order to travel to another state has with him or her a valid passport or other equivalent document which establishes his or her identity and nationality” (Immigration Act 2003). If these measures are not met, the state is able to fine carriers €3000 under Section 2-(7) of this Act. By fining airline carriers, states are able to utilise the wider migration structure present at the ports of entry to enforce control. An Immigration Officer (2022) in Cork Airport speaks about the geospatial interactions that occur between different departments in the process of protecting the structural integrity of the state’s border. This territorial space acts as a national port of entry, which is managed by local, regional and

national authorities, to enforce control on international migrants, arriving from various countries globally, through private airline carrier companies.

Well I suppose the customs are searching and seizing and if they have a difficulty, they might come to us for assistance. And in relation to Swissport and Aer Lingus, their handling agents in other countries would we say, would check to see if a person was Visa required so take for example a person coming from China. From any other outside destination coming into Ireland, coming into Cork, they are not allowed on the plane if they are visa required. And basically if the airline brings that person into the country they are liable to a fine.

4.2 Process of Control At Port of Entry

On arrival at the port of entry, all migrant categories fall under the laws stated within the ‘Immigration Act 2004’. In these locations, the Minister for Justice appoints Immigration Officers to enact and perform the functions of the minister. “Subject to the provisions of this Act, an immigration officer may, on behalf of the Minister, give to a non-national a document, or place on his or her passport or other equivalent document an inscription, authorising the non-national to land or be in the State (referred to in this Act as “a permission”)” (Immigration Act 2004). Immigration Officers are located at an ‘approved port’ or ports of entry which are outlined within Section 6. In defining the ports of entry, states can reterritorialise these locations in space to regain control over bordering procedures and channel migrants through certain locations in space. Within Section 7, the state requires migrants who present themselves at these ports of entry to provide documentation and information in relation to their stay within

the state. The Visa itself does not allow the Non-EEA citizen entry, “it allows you to land and present yourself to an immigration officer at the point of entry and then the immigration officer decides depending on what you tell him and what you produce and what documents you produce as to what kind of time frame you are going to get and how you are going to be left in the country” (Detective Sergeant, Immigration Unit, 2022).

Immigration Officer (2022) outlines the procedure for dealing with different classifications of migrants at the point of entry. In this process, the Immigration Officer acknowledges that non-nationals require further documentation or further questioning through his/her interaction with the migrant in this bordering process.

It's solely based on a passenger presenting a document, be it a travel document, be it a passport, be it a national identity like the French, Bulgarian, they all have them. So that's what we, when we look at it, we examine it, in a sense, if you see it is Irish and the person standing in front of you is saying 'How is it going lad?' you know they are from Cork like if you know what I mean, but then everybody else that you don't know, you are checking their document, you are reading the passport, there are set countries that are Visa required, you wouldn't know them all but you would know the ones that don't need. You know what I mean? You would know the Europeans and you would say you know the old English colonies, some of them do not require.

4.2.1 Surveillance At the Ports of Entry (Connective Moment in wider Structure)

At the ports of entry, state control in regard to the immigration process is most clearly witnessed and felt. Armed Guards, Immigration Officers and airline workers all participate in the

physicality of control that is witnessed at the initial state bordering moment. The procedure of queueing adds to this experience as it acts as an initial sign of following direction and being complicit with state control in following orders. Further methods of control are utilised by the state in what is now accepted as the norm to enter a foreign territory in the 21st century. In Section 2.4 Oliveira Martins, Lidén and Jumbert identify that the state enforces the searching of personal possessions, the requirement of passports, identification cards, Visas, letters of permission from ISD, Work permits, College acceptance letters and proof of financial support in order to restrict the movement of an individual into the state as well as provide information to the state on the individual who has arrived at the border.

Detective Sergeant of Anglesea Street Garda Station's Immigration Unit (2022) outlines the added levels of securitization which has been introduced at the border and seen within Dublin Airport to reaffirm the states understanding of who is entering the country as well as the person's motives for entering the state, with the introduction of the Irish Passenger Information Unit (IPIU) in 2020. Through this procedure, Handling agents provide the state with support in relation to 'Passenger Name Record' (PNR) data on those travelling to Ireland. "PNR data is created each time a passenger books a flight and it is stored in the airlines reservation systems. The number of data fields and types of data in those fields vary across airlines" (Koslowski, 2004, p.15).

In relation to border management and illegal immigration, it is not tip offs really. It is intelligence and there are certain trends and certain indicators that would say to us, yeah, there is an issue with this person here yeah know and there is a new passenger information unit run in Dublin Airport as well so eventually, all carriers will feed their information to the passenger information unit. They have to do that by law, so all

passengers information will be fed into the system and then if there are any issues, they can tip us off and say yeah there is an issue with that there. And we say that particular email address has booked a number of people that were illegal or that were coming in with false documents or whatever and who they are travelling with and how often they travel, what routes they take, all this sort of intelligence is gathered and they look at it all and if there is any issues they would send it to the individual points of entry and say listen there is an issue, this individual coming in here, will you address it.

“The IPIU collects, processes and exchanges PNR data with domestic and international competent authorities for the purpose of supporting the prevention, detection, investigation and prosecution of terrorism or serious crime” (Government of Ireland, 2022, p.2). The role of the ‘IPIU’ and the data collected on all migrants entering the state is utilised to control and inform different phases of the migration process. This process is replicated in regard to the Visa process. The data which is offered from Non-EEA Visa requiring citizens is collected by ‘Visa Division, Immigration Service Delivery (ISD), a Division of the Department of Justice and Equality’. The ‘Visa Division’ in this process utilises this information to assess an applicant’s eligibility for an Irish Visa or preclearance, in verifying a person’s identity, to protect the ‘CTA’ and to identify criminal and immigration history among other uses. This information may also be shared to “United Kingdom Home Office , Authorised Agent on behalf of ISD, The Department of Foreign Affairs and Trade, An Garda Síochána (Irish Police Force), Irish Government Departments and Agencies and Member States of the EU/EEA” (AVATS, Online Visa Application: Privacy Notice 2023) to verify the identity of a non-EEA citizen to support in their VISA application. In sharing this data with An Garda Síochána, the state police force can utilise the information to further reinforce the various Surveillance Information systems operating within Ireland and Europe.

4.2.2 Registration for Non-EEA Citizens (Internalised Bordering Process)

If a non-EEA citizen is successful in providing satisfactory information (letter of permission, visa, passport, work permit, etc.) to the Immigration Officer, he/she will be granted “a landing stamp, it is conditional to 90 days, they won’t give any more than 90 days and they may and have often given less” (Spokesperson for DoJ, 2022). From this point, the non-EEA citizen is required to register this permission in the designated time frame. Immigration Officer (2022) provides context as to how control has been diverted from the airport and outsourced to local Garda Stations around the country to further the immigration process for non-EEA citizens.

If they were a student, we would send them to give them 3 months to go to their local immigration, if they are working in Cork, they go to Anglesea Street, if they are working below In Brinny they are going to Bandon and then they have the proper documents and then they get there, if they are there for 9 months. We give them 3 months, but the registration office gives them the remainder of their time.

An Garda Síochána utilises scheduled appointments to further order and categorise non-EEA citizens within the state. “Our appointments were a disaster until about 2 or 3 years ago. We have an email system now, where people email in and they are given a date and time to arrive for their appointment” (Detective Sergeant, Immigration Unit, 2022). This process is a coordinated aspect of migration management between the DoJ’s two immigration organisations (GNIB and ISD). “Naturalisation Immigration Service [ISD], they give permission to people, so we liaise with them on a regular basis every day, because they are the people that give the letters, that give the permissions. These are the letters and permissions that they must present to us and obviously we have to make sure that everything is right before somebody is registered yeah know” (Detective Sergeant, Immigration Unit, 2022).

“There must be an immigration officer present all the time because an immigration officer gives the permission, he gives the stamp so the guards carry out the clerical work and the immigration officer gives the permission when they are finished” (Detective Sergeant, Immigration Unit, 2022). The role of the Immigration Registration Officer is an extended, prolonged border experience in which the role of the Immigration Officer is replicated beyond the initial point of contact to register permission within the state. In this phase, similar documents are required to register your permission (passport, visa, work permit, landing stamp etc.). “The permissions are categorised: Stamp 1, Stamp 2, Stamp 2A, Stamp 3, Stamp 3A, Stamp 4, Stamp 5, Stamp 6 they are all the different permissions, they are the permissions that people get when they come in here to register” (Detective Sergeant, Immigration Unit, 2022).

After all these requirements are cleared, the migrant is required to have their picture taken as well as their fingerprints in which they are given an IRP card on completion. The IRP card has details of their specific stamp and expiry of permission in Ireland, their photo identification, nationality and gender and acts as a ‘certificate of registration’. “ Possession of an IRP card verifies that the person has registered with their local immigration registration officer. It allows the card holder to travel freely from and return to the state” (Glossary of Immigration Terms - Immigration Service Delivery, 2022). The IRP card in itself is a mobile or deterritorialised border which the migrant must carry with them at all times while residing in the state. Basaran in Section 2.3 highlights how states utilise tools through policy reform to create ‘border zones of limited rights’. In Ireland, the state achieves this through mobile bordering procedures such as the requirement of an IRP card which acts as an identifiable marker and makes visible the migrant population within the state upon request.

4.3 Irish Migration Structure - Key Governmental Departments and Agencies tasked with controlling Voluntary migrants (Institutional Setting)

Beyond the initial bordering process at the ports of entry lies The Irish Migration system. This structure consists of Governmental Organisations, Inter-Governmental Organisations, NGOs, International agencies and Independent Authorities. These organisations, agencies and authorities work in unison to support the state in its attempt to enforce control over the immigration process. Within this structure, the assemblage of departments, agencies and state actors intersect throughout these different scales (local, regional, national and international) and add value to the wider Irish migration structure.

The Minister for Justice tasks two organisations to deal with matters relating to immigration, the Immigration Service Delivery and Garda National Immigration Bureau. Both organisations are located in Dublin, the country's capital city. Immigration Service is an executive office of the Department of Justice. "It is responsible for undertaking the administrative functions of the Minister for Justice in relation to immigration, visa, international protection and citizenship matters" (Immigration/Protection/Citizenship - The Department of Justice, 2022). Immigration Service also deals with registering permissions in Dublin County and City whereas GNIB covers immigration nationally, with the Detective Chief Superintendent in charge of this organisation at 13/14 Burgh Quay, Dublin 2. The Detective Chief Superintendent "reports to the Assistant Commissioner, Organised & Serious Crime," (Garda National Immigration Bureau, 2022). GNIB deals with all Garda concerns relating to Immigration within the state. Border control, registrations, granting permission to remain, deportations and investigations in illegal immigration and human trafficking are all handled nationally through GNIB.

4.3.1 Garda Immigration Structure (Institutional Setting)

The Irish Migration System is enforced by the human representation of state power, GNIB or an Garda Síochána, the Irish police force, to provide a physicality of state power at the border and within local communities nationwide. GNIB is based in Dublin with divisional resources located around the country within the four regions (Dublin Metropolitan Region, North Western Region, Eastern Region and Southern Region). In these divisional and district Garda Stations, it is the Detective Superintendent of Serious Crime Investigation who oversees immigration for that division or region in the new Garda operating model. Garda Organisation (2022) outlines the regional to sub-station structure which is in place for an Garda Síochána nationally.

Each region is divided into divisions commanded by a Chief Superintendent, and each division is then divided into districts commanded by a Superintendent. A Superintendent in charge of a district is also known as the District Officer. He/she is assisted by a number of Inspectors. The districts are divided into sub-districts, each normally the responsibility of a Sergeant. Each sub-district usually has only 1 station, the strength of which may vary from 3 to 100 Gardaí. In some areas there are stations known as sub-stations which for administrative purposes are attached to a parent station. These sub-stations are usually occupied by one Garda member. There are 569 Garda Stations throughout the country.

Garda Stations that perform procedures relating to the immigration process of a migrant are considered to be GNIB immigration Offices. Within Anglesea Street Garda Station there is a specialised Immigration Unit which is headed by a Detective Sergeant who oversees immigration matters in this region. “In Cork City it would be unique enough because GNIB,

you have people in GNIB that work in the airport and they do the airport and that is it. You have people in Shannon Airport that work in the airport and that's it and then you have immigration officers all over the country, that are regular guards and they do immigration part time we say, so they might have one day a week they might do immigration for registrations and stuff like that" (Detective Sergeant, Immigration Unit, 2022). The Detective Sergeant and the Immigration Unit are tasked with border management and passport control at the two points of entry, at Cork Airport, as well as the Port of Cork. At these locations, the Immigration Unit of Anglesea Street Garda Station works alongside Immigration Officers, management within the airport and the Port of Cork authorities located at the point of entry to support in the immigration process for those entering into the country at these locations.

The Detective Sergeant of Anglesea Street Garda Station's Immigration Unit (2022) outlines his operational role as head of immigration for the Cork City Division and provides detail on his role at a variety of scales.

I am in charge of immigration for Cork City Division and what is involved there is Cork Airport. So all my guys cover Cork airport, for passport control and the other immigration issues that might occur in Cork airport. We also cover the Port of Cork or all shipping coming into the port of Cork which includes ferries and any other shipping coming in. including freight or any foreign nationals coming through the port, it comes under my remit. As well as that then I have responsibility for the registration system here. Any foreign nationals or non-EU nationals that arrive into the state.

In Dublin, there is a designated Border Management Unit tasked with similar functions in dealing with the entry of migrants into the state. After this process is complete, Non-EEA

citizens who have gone through the immigration process at Dublin airport and who plan to reside within Dublin are required to register their permission with ISD at Burgh Quay. “All passengers are required to pass through customs and immigration controls. Immigration and border controls at Dublin Airport are fully maintained by the Border Management Unit (BMU), which is under the directorship of the Irish Naturalisation and Immigration Service (INIS) of the Department of Justice and Equality” (Customs & Immigration Process | Dublin Airport, 2022).

4.3.2 Cross Departmental Relations within Garda Structure

An Garda Síochána is a highly functioning, interconnected structure which operates from the national, to the regional and local level. Throughout these scales, various units and departments work alongside each other to maintain order and control throughout the state. These interactions can occur throughout these different scales due to the specialised nature of policing in the state. Beyond the specialised Immigration Units of An Garda Síochána, many other units and departments intersect with the immigration process, particularly under the Organised and Serious Crime departments of an Garda Síochána.

A Detective Superintendent in Anglesea Street Garda (2022) outlines his involvement in cross departmental organisations through his role as a Detective Superintendent based in Anglesea Street Garda Station. In this, the Detective Superintendent provides scope to his jurisdictional powers and functions within an Garda Síochána which spans from the local level in Cork City to the regional level in Munster. Through this position, the Detective Superintendent investigates human trafficking, an illegal form of migration movement, through his various roles within the Garda structure. This particular ordering of an Garda Síochána’s immigration

process allows the roles to be filtered out into their correct departments, thus providing a clear indication of the wider structure in place beyond ISD and GNIB.

I predominantly work with the intelligence services and I work with the armed support units, the regional surveillance units, the regional dog units and I have a role in the investigation of serious organised crime in the county. The other units are regional, which I will show you the map over there which covers Clare, Tipperary, Limerick City and county, Kerry and down the bottom there you see Cork North and Cork West are to be amalgamated into one division. There are two divisions at the moment and Cork City so my regional functions are in relation to that area and my investigative role is for the county of Cork outside the city but that's going to change very shortly and that will bring me into play with investigators, with forensic scenes and crime examiners, with computer analysts, with drugs units, with fraud units, crime special units, all those investigative units.

... if there is any investigations in relation to human trafficking, human trafficking is dealing with migrants that were brought into this country to be exploited either in sexual environment or for labour purposes and I do have a role in dealing with migrants in relation to dealing with that.

This sharing of accountability and responsibility in relation to enforcing control within the state links and intersects an all-encompassing police force from the local level to the regional and national level. "All these specialist units here would come to me if there was any issues, if they have any questions in relation to Non-EU nationals or something, again we tic tac with social protection in a big way as well. So we would have daily interactions with them and we have

two officers, two garda officers attached to social protection at the moment now, so they look at fraud and such things, so” (Detective Sergeant, Immigration Unit, 2022). The Detective Sergeant further indicates that cross departmental work between an Garda Síochána is not uncommon between units outside of the umbrella department (Organised and Serious Crime) which heads these immigration units. Those within Organised and Serious Crime interact with departments such as ‘Garda National Community Engagement Bureau’ which ‘Garda National Diversity and Integration Unit’ is a part of. Key departments such as ‘Garda National Crime & Security Intelligence Service’ provide support to those within the wider ecology or matrix of the Garda structure throughout these scales of control.

4.4 Conclusion

As shown within this empirical chapter, the state deploys border procedures at each phase of a non-EEA citizen’s migration journey. Through each phase, the scalar principle is applied to the way in which power is shifted from one organisational structure to the next as the migrant progresses through the Irish migration system. In analysing the process for entry, the registration procedure within the state was a particular notable interaction. This procedure operates as the last physical interaction between the migrant and the state in the process for entry. From this position, there is no further chain of operation available to progress state knowledge on this individual until the migrant is required to re-establish their permission. By diffusing this process to the closest local Garda Stations in the proximity of the migrant’s residence, the state can utilise this procedure to enhance members of an Garda Síochána’s knowledge of people within the community. From this position and through the issuing of IRP cards, the state can re-establish internal border controls in a mobilised manner through the requesting of these ‘registration certificates’ from person’s not known to an Garda Síochána or

persons who have failed to re-establish their permission to remain in the state within these localised areas. This localised knowledge can act as a tool of surveillance to identify and remove persons of interest to an Garda Síochána throughout the state.

In the process of re-establishing permission within the state, again, the non-EEA citizen is required to inform ISD in relation to a change of residence. This information must be supplied to ISD as this branch operates the ‘administrative functions of the Minister for Justice in relation to immigration’. From this position, ISD can send a letter outlining the non-EEA nationals permission to be in the state to the migrant’s residence and this information is then corroborated by the most conveniently positioned Garda station to the migrant. This operation is utilised in twelve month increments to make the state aware of legally residing non-EEA citizens in the state. If this permission is not re-established, the state can then use this information to identify and remove persons who have failed to update their permission to remain.

5 Migrants without permission to Remain and Criminality - Reasons for Expulsion and the Externalisation of State Power to Control

The Irish government and its enforcement sector operate throughout the state and international level to externalise its border in an effort to control migrants involved in criminal acts throughout the migration process. This is achieved at the local, regional and national scale with the removal of migrants who have entered or remained in the state without permission or who have been charged with a criminal offence within the state. The state utilises its police force, an Garda Síochána at the local, regional and national level to operate in shared Garda procedures to uncover migrants working illegally within the state through operations referred to as sweeps. In a similar operation at the ports of entry, the state utilises its immigration officers attached to GNIB to identify, detain and deport migrants who have arrived in the state and who have been denied entry. These operations are supported by surveillance information systems which connect and share data at a variety of scales depending on the particular operation in question.

Through shared police databases, An Garda Síochána is connected to a surveillance matrix that operates to inform policing within the Irish state, Europe and in other locations globally. Internationally, the state's police force, an Garda Síochána and the state's military wing at sea, the Irish Navy, both work in collaboration with other state defence forces within Europe and the UK to limit criminality within the European arena. The utilisation of enhanced policing measures of surveillance and prevention in these locations has led to the formation of cross governmental agencies aimed at reinforcing the outer perimeter of the European Union. These externalised connections operate to protect the outer regions of the European Union, but also the Irish border which operates as a European external border.

Note: This chapter will focus on migrants who do not have permission to remain in the state: undocumented migrants including migrants whose documentation is no longer in date, failed International Protection Applicants, migrants involved in criminality.

5.1 Powers for Arrest and Detention within the state for Persons involved in Criminality

The Irish government reaffirms the powers provided to the state's police force through the ability to apprehend persons who have committed a specific arrestable offence within the state or in the process of entering the state. From this position, members of 'an Garda Síochána' detain individuals if permitted through the specific power provided through legislation. Within this process, "if someone commits an indictable crime, you have the power to arrest them under section 4 of the criminal justice act and detain them. Likewise right there are detainable powers under the immigration and drugs and we say offences against the state. So each one has their own specific power of arrest and detention" (Detective, Intelligence Unit, 2022). Key pieces of legislation involved in the detention of an individual include Section 30 of the 'Offences Against the State Act, 1939', Section 4 of 'Criminal Justice Act 1984' and 'Section 50 of Criminal Justice Act 2007'. "Section 4 of the Criminal Law Act 1997 is the most widely used Power of Arrest. It covers any offence which carries a penalty on indictment of 5 years or more" (An Garda Síochána, Detention Periods - Criminal Justice Act 1984, 2012). Specific arrestable offences and their detention periods are outlined through each piece of legislation. "Section 4 you can be allowed to be detained up to 24 hours, section 30 up to 3 days, I think there is a section 50 of detention, which covers mainly murder by firearms or organised crime offences. They will have an initial detention by the Gardai up to 3 days and you can go to a judge for up to a week" (Inspector, 2022). In matters relating to serious crimes, the Office of

the Director of Public Prosecutions can be consulted to “give specific direction to An Garda Síochána (the Gardaí) in cases where requested” (Office of the Director of Public Prosecutions, 2022) among other functions such as, “putting together an investigation file and to either send to DPP for direction, to prosecute somebody or putting together stuff for arrests and what not depending on the nature of the incident which we are investigating” (Detective, Crime Investigation Unit, 2022). Through these cross departmental connections, members of an Garda Síochána, located throughout the state, can utilise The office of the Director of Public Prosecutions to further inform a Garda’s position on legislation to enforce control on all persons within the state involved in criminality.

These powers provided to members of an Garda Síochána operate as an internal process of control to proceed in the externalisation of the border through the removal of migrants involved in Criminality. This course of action to apprehend non-Irish citizens involved in criminality initiates the removal of such persons from Irish society. This is first achieved by sentencing a person for a crime which carries a specific prison sentence and finalised through the removal of a person through an exclusion order from the state.

5.1.1 Sweeps - Undocumented Migrants and persons within the International Protection Process working illegally within the State

An Garda Síochána performs sweeps with the support of local immigration units nationally in an effort to uncover undocumented migrants and persons within the International Protection process who are working illegally. “You will have power to search work premises for people working without Visas I suppose, people that are in the country illegally or unlawfully and they don't have Visas to be here working, yeah know that happens often in restaurants” (Inspector,

2022). For the undocumented migrant or “illegal immigrants, just being in the country illegally is an offence. If they don’t have the right documentation, if they don’t possess it, it is an offence. They can be arrested on the spot and they can be charged and brought to court at a later date or they can apply for bail or be remanded in custody” (Inspector, 2022). In section 2.5 Broeders and Engbersen identify that states utilise new policy strategies centred around ‘selective inclusion’ while reinforcing and improving other policies centred on delegitimizing and excluding other migrant categories. International Protection Applicants are separated from undocumented migrants as these categorisations of migrants have temporary permission to reside in the state. This permission is supported under section 17 (4) of ‘The International Protection Act 2015’ and fulfils section 9 and 12 of ‘Immigration Act 2004’. “People who make an application under the Act are given a temporary residence card (TRC or blue card) which is proof of their permission to reside in the State. The TRC can be renewed and only becomes invalid when a person’s permission to enter and reside in the State (Ireland) as a protection applicant, ceases to be valid” (Oireachtas, 2022). However, similarly to the undocumented migrant, International Protection Applicants are not initially allowed to work within the state legally. International Protection applicants are required to wait 5 months from the time of receiving a TRC card under Section 11 of the ‘European Communities (Reception Conditions) Regulations 2018 (S.I. No. 230 of 2018)’ before they can apply for a labour permit. “If you have not received a first instance decision on your international protection application within 6 months of your “Application Received” date, a permit will be posted to you” (Immigration Service Delivery, Labour Market Access Permission, 2022).

These joint sweep operations are performed with the support of information gathered by the Garda National Crime & Security Intelligence Service who operate throughout the state. “We would get intelligence from time to time where there would be illegal immigrants and we pass

that on to the specific unit who would then do the sweep with regular detectives” (Detective, Intelligence Unit, 2022). The execution of the sweep is achieved through the specialised units deployed by GNIB who deal with sweep operations nationwide. Edensor in section 2.5 highlights that these specialised units are supported by the ‘local knowledge’ or understanding of the ‘taskscape’ which Garda who are designated to these regions have gained through repeated social interactions with the population and landscape. Through this understanding of the surrounding area, Immigration Units can further support members of GNIB in this procedure through identifying the locations in which these undocumented migrants and International Protection applicants work and the times these specific restaurants or businesses open. “All these areas can be searched during work hours, checked during work hours where people are asked for documentation and proper visas, that does happen from time to time” (Inspector, 2022).

Detective Sergeant of Anglesea Street Garda Station’s Immigration Unit (2022) outlines the relationship between GNIB and their Deportation Unit who work at the national scale in supporting local Immigration Units in relation to sweeps for ‘illegal immigrants’. Through the performing of a sweep, Undocumented migrants found to be working illegally in the state can be charged and deported from the state through ‘Immigration Act 1999’ Section 3(2)(a). For International Protection applicants who are in violation of this process, Section 20 (e)(i) of ‘International Protection Act 2015’ can be drawn upon to outline the asylum seekers intention to undermine “the system for granting persons international protection in the State” (International Protection Act 2015). From this position, an Garda Síochána can detain an asylum seeker through this process which may possibly lead to the eventual removal of said asylum seeker from the state.

Garda National Immigration Bureau, would have overall oversight of illegal immigration, what we do is we carry out inspections from time to time in various businesses around the city and obviously it is intelligence led as well, so if they get information or if I get information myself that there is issues in any given area, we target that area then. There are specific units based in Dublin that will target deportations and stuff like that and that's what they do and that's all they do. We will assist them, locally, so if they are coming down to do an operation, we will assist them. We would have the local knowledge and we would know where to go and we would have the expertise to assist them as well. We do carry out deportations from time to time, ourselves but again it is all arranged through Dublin.

5.2 Deportations and Exclusion Orders

'Immigration Act 1999' is used by the state to initiate a Deportation and Exclusion order to any 'non-national' involved in criminality within the state. Section 3(2)(a) of this Act provides legislative support for the deportation order of 'non-nationals' involved in criminality within the state. Section 4 (1) supports this externalised process of border control to the country of origin for this specific migrant and outlines the reasons as to why an Exclusion Order is issued to a 'non-national'. In this procedure, the Minister for Justice may consider "it necessary in the interest of national security or public policy, by order (referred to in this Act as an "exclusion order") exclude any non-national specified in the order from the State" (Immigration Act 1999). The Irish government is granted powers to further externalise the state's bordering procedure through the removal of EU migrants involved in criminality within the state. This is achieved through an Exclusion Order which prohibits EU migrants from entering the state for 5 years. This procedure can be enacted after the EU migrant has served his/her prison sentence

within the state in relation to section 23 of ‘S.I. No. 656/2006 - European Communities (Free Movement of Persons) (No. 2) Regulations 2006’.

The Department of Justice’s two key immigration organisations, GNIB and ISD are tasked with initiating, serving and performing this procedure for the removal of these migrant categorisations. The process is first initiated by GNIB or a localised immigration unit in which this agency of an Garda Síochána will submit a removal application. “Before we’d execute any deportation order we would liaise with Garda National Immigration Bureau who would work hand in hand with the department of Justice in relation to deportation orders and they would know at any given time whether any deportation order is live or not” (Detective Sergeant, Immigration Unit, 2022). The Minister for Justice under Section 20 (3) (b) notifies “the person in writing, where necessary and possible in a language that the person understands, of his or her decision and, unless the Minister certifies that it would endanger the security of the State to make them known, of the reasons for the decision” (European Communities (Free Movement of Persons) (No. 2) Regulations 2006) of a removal order. From this position, the ‘illegal immigrant’ can make a case to “send in written representations against the making of the orders” (Immigration Service Delivery, Repatriation division, 2022) through Regulation 20(2)(b)(ii) and which is outlined in Schedule 9 of ‘S.I. No. 656/2006 - European Communities (Free Movement of Persons) (No. 2) Regulations 2006’ to be granted permission to remain. If the migrant is unsuccessful in presenting reasons to overturn a removal order and exclusion order, the deportation of an individual will be organised within 10 working days as stated in section 20 (1) (b). This procedure is repeated for an asylum seeker who has failed at each stage of the International Protection process. The procedure for deporting a failed asylum seeker involves further cross departmental connections which begin with the International Protection Office. “ISD where a person has failed all of the opportunities available to the International

Protections Office, to the IPAS and the IPAT, they will then end up with the ISD function for either an assessment of a permission to remain applicant or to complete a deportation order” (Spokesperson for DoJ, 2022). After this failed application for permission to remain (which can be granted under Section 49 of the ‘International Protection Act 2015’), the asylum seeker is informed of their deportation order which is outlined in Section 51 of the ‘International Protection Act 2015’.

A spokesperson for the DoJ (2022) outlines the procedure of enacting a deportation order through ISD in which the International Protection applicant involved has ‘exhausted all avenues of application in the state’.

Our interaction with them is in relation to the Deportation Process and the signings, once we have a deportation in place, we then hand it over to the Guards for their operations, it is a matter for them, that person then is required to sign and keep a signed with their local Garda station, their local immigration officer on a regular basis to be prepared for a deportation whenever that happens but again that is an operational matter on the Garda side. The deportation of an individual really is the end of the line, they have exhausted all avenues of application in the state, the state then has decided there is no compelling reason as to why this person should remain in the state. A deportation order has been signed and that now is going to be affected by the Garda National Immigration Bureau.

From this position, members of an Garda Síochána and its localised and regional immigration and crime units under Section 20 (4) handle the arrest and detention of individuals who are in the process of being deported or excluded from the state under this EU exclusion order

regulation. This procedure of arrest and detention occurs throughout various Garda stations within the state as the state does not participate in EU 'Return' Directive 2008/115/EC. This directive outlines "common standards and procedures to be applied in Member States for returning illegally staying third-country nationals" (Directive 2008/115/EC, 2008). Through the implementation of this procedure, specialised facilities for returning migrants have been established within these states. A possible explanation against the implementation of these territorialised structures is the backlash which politicians in the state would receive in developing a system similar in nature to the Direct Provision system. A system, in which the state remains keen to distance itself from.

Detective Sergeant of Anglesea Street Garda Station's Immigration Unit (2022) outlines the procedure to enact Section 20 (4) 'S.I. No. 656/2006 - European Communities (Free Movement of Persons) (No. 2) Regulations 2006' which can be enforced in regard to the removal of EU migrants from European states. The Detective Sergeant highlights the shared procedural order to enforce control through the key immigration organisations of the state and its initiation at the local level. The Detective Sergeant provides an indication that Section 4 (2) of 'Immigration Act 1999' can be enforced to re-externalise the border through the breach of this Exclusion Order if the migrant enters the state within this 5 year period.

When the order is issued, we arrest them, we detain them and deport them back to their own country and they are excluded from entry for 5 years. If they enter within that 5 years, they can be arrested again and sent back again straight away. And again obviously they are not entitled to any benefits or anything here then as well, can't work here and they can't claim any benefits here but that happens. So that happens on a regular basis, so we would liaise with the crime units here, so if they say yeah, well this

guy is involved in drugs and they give me all the details on him and then I apply to the department of Justice, to get the removal order and we remove them back to their own country then. That is a great power actually, it should probably be used a bit more than we do but we do use it regularly enough you know.

This process supports the connective nature of policing through control from the local to the international level through the return of EEA citizens and non-EEA citizens to their country of origin and International Protection Applicants can be returned to the state in which they first applied for asylum through Dublin III Regulations. The state utilises local and regional Garda units who possess first-hand knowledge of these specific investigations to support GNIB and the Repatriation Division's Arrangement Unit of ISD in the procedure of deportation which is handled through the ports of entry. The deportation order is handled through Deportation Units which are attached to GNIB. "They are based in Burgh Quay in Dublin. They have a base in Dublin Airport as well. They would have various offices there that would be involved in deportations and they have a regional section there that would be involved in deportations and they would have, they would liaise with the likes of Frontex there in the EU and carry out all these operations" (Detective Sergeant, Immigration Unit, 2022).

Detective in the Serious Investigation Unit (2022) provides an example of this scalar interaction occurring between GNIB in its national role and the Detective working within his regional jurisdiction which includes Cork Airport. Through this cross departmental operation, specific members of GNIB in the Deportation Unit are tasked with performing a Deportation order for a Swedish National who has been given an Exclusion Order from the state for 5 years.

Say a person that's from outside your jurisdiction is involved in criminality and say there is an exclusion order. so I had one recently with a Swedish national. He was convicted in the Circuit court, he was jailed and on finishing his sentence, he was excluded from the country for a period of 5 years. So what happened was I met with detectives attached to the deportation Unit in Dublin. We took him out of the prison, he was brought to Cork airport, they accompanied him, basically three seats, he sat in the middle, they sat either side. They watched him get off the plane, get out at the airport. They notified Swedish authorities, updated them I suppose on his background while he was in the country and so I suppose he was, he is monitored then. I suppose there is a flag raised against him you know if he is ever trying to come back into the country again that will be raised obviously because he is not allowed.

Through this shared involvement in enforcing an exclusion order with other EU countries such as Sweden, the state is able to shift responsibility back to the country of origin through this externalised process. States within the European Union utilise other bordering procedures to enhance and externalise the outer limits of their power by sharing migrant information between state police forces through collaborative processes of surveillance. Bigo in section 2.4 outlines that migrants in their country of origin have now have become targets for surveillance. These relationships speak toward the Irish border not being located simply at the ports of entry or the physical border of Ireland's landscape, but at the outermost points of the European Union where bilateral agreements and agencies play a key role in protecting the interests of the European Union and its border processes.

5.2.1 Removal of Migrants at the ports of Entry

This effort to prevent undocumented migration throughout the state is replicated at the points of entry. The Immigration Officers located at the airport are provided with further legislation in the detention and return of an individual to their country of origin or departure. “So, we have the air navigation act okay. That would be in relation to incidents that happen in the air or on the tarmac okay. We have the criminal justice Public order Act, which is public order, we have, there is a non-fatal offences against a person’s act 1997, this is to do with assaults and all that and obviously we have the Immigration Act. So there is good law there. Immigration Act is 2004, Public Order act is 1994” (Immigration Officer, 2022). The Immigration Officer is able to utilise legislation to maintain control over certain incidents which may occur in the airport, on the tarmac prior to disembarkment, or in the air prior to landing. “If there was an incident on a plane, a plane gets diverted, now it might land in Cork and it’s the guards that take over. Majority of those times, the offence would be under the Air navigation Act, that’s a vast thing. You have the air police, that’s where their powers comes from, our powers comes from statute law, theirs comes from the airline navigation” (Immigration Officer, 2022). The immigration officer under section 7 of ‘Immigration Act 2004’ can detain an individual if said individual has failed to comply with the requirements for permission to remain in the state. In airports such as Cork Airport, specified detention areas are not used due to the lack of space within the airport itself. “We don’t have a detention area, our offices are very small. So basically what we do is they either sit outside at the immigration desk or there is a waiting room in our office, they wait there, we don’t have a detention” (Immigration Officer, 2022). If the migrant has arrived at the airport and has been refused leave to land, they can be returned to the country of origin or departure on the next flight to that location. This procedure only involves the Immigration Officer at the point of entry as it is their decision to allow persons into the state which has been granted to them by a seal of office from the minister for Justice. “If they come

in on false documents okay, you mean now about criminals there. They might not want to be coming in, they might not want to be seen coming in under their own name. We normally would send them back to their country of origin” (Immigration Officer, 2022). In a more exceptional case study, Agamben in section 2.2 discusses the ‘state of exception’ in which legislation in the form of the ‘Patriot Act 2001’ was utilised to create a ‘legally unnameable and unclassifiable being’ at the point of entry. Through this process, immigration officers within the United States were able to detain and thus, isolate a specific section of society from entering or operating within the state. In Ireland, the state through legislation provides similar powers to immigration officers for migrants travelling illegally to Ireland.

Detective Sergeant in Anglesea Street Garda Station’s Immigration Unit (2022) outlines that there is an increasing number of migrants arriving at the ports of entry who do not possess legitimate travel documents or any forms of documentation. The Detective Sergeant provides examples of the locations these migrants are travelling from and their possible reasoning for entering the state. In certain cases, migrants involved in criminality will have destroyed their own documents prior to disembarking in an effort to claim asylum. In other examples, an increasing number of migrants arriving at the ports of entry attempt to enter the UK through the Irish ports due to the state's soft border located to the North of Ireland. The state through this arrangement has a duty to uphold the CTA. Through this arrangement, migrants attempting to enter the UK will be placed in detention and deported to the country of last departure through Dublin III Regulation.

Usually they would have forged documents, they would dispose of them before they arrive, either on the plane or, we have had a lot of that lately. They are, depends, some of them look for asylum, some of them don't. A lot of them want to go to the UK and

use this as a conduit to get to the UK. If that's the case and we are satisfied that they are not legitimate asylum seekers, that they have another agenda, that they want to get to the UK or whatever, we would refuse them leave to land and we send them back to where they came from. Paris, Pisa now is the latest one. Basically you have a certain period of time to get them back. We have the luxury of, we say, like the likes of Dublin have a lot of flights, they would have a flight regularly back to wherever they came from. Our flight could be a day or two later, so we have a power of detention to keep them, I think up to 56 days in detention.

5.3 Surveillance Information Systems - Boundless tools of Control

The Irish state utilises Surveillance information systems to reinforce the effectiveness of an Garda Síochána and to connect the Irish police force to other state actors throughout the migration system. Levi and Wall in section 2.4 outline how the ‘surveillant assemblage’ is enhanced by surveillance information systems. These databases operate as boundless entities throughout each scale of this structure to inform state actors and further categorise data on individuals who are flagged within this process of control. FitzGerald (2020, pp.8-9) highlights within his research that “states share information about individuals with each other and often collaborate to decide whom to detain, deport, or allow to pass.” An Garda Síochána is united with police forces globally, through Interpol and police forces within Europe, through Europol to share information on criminals or migrants who plan to enter or leave Ireland to engage in criminal activities. “If I need to get a request from say Metropolitan police or whatever I kind of do it through Interpol who will in turn contact Interpol Europe and they will forward back whatever information I was looking for then” (Detective, Serious Investigation Unit, 2022).

“An Garda Síochána records details of crime incidents on a central database (PULSE). This facilitates the categorisation of crime into various Incident Categories and Types” (An Garda Síochána, Guide to How Crime is Recorded and Counted by An Garda Síochána, 2020). The ‘PULSE System’ is the computer system an Garda Síochána uses on a daily basis and is utilised to access these various surveillance information systems. Internal systems specifically utilised by an Garda Síochána include Covert Human Intelligence Sources (CHIS) “the regional intelligence system” (Detective Superintendent, 2022) and Garda National Immigration Bureau System. CHIS is used in the first stages of criminal intelligence gathering. An Garda Síochána uses CHIS in relation to discovering specific information in relation to individuals and groups involved in organised crime and terrorism. “The ability to infiltrate criminal and terrorist organisations is key to understanding the way in which individual and organised criminal enterprises work and to formulate strategies to thwart and frustrate criminal and terrorist activity and bring those responsible to justice”(An Garda Síochána, Management and Use of Covert Human Intelligence Sources, 2022).

The GNIB Information System is used in relation to non-EEA Nationals involved in illegal immigration or serious crime. Detective Sergeant in Immigration Unit (2022) outlines GNIB officers' use of the GNIB information system. “They have access obviously to the Garda National Immigration Bureau information system and there is only immigration officers that have access to that, not the regular guards, they wouldn't have any access to that. So they would assist in any investigations relating to non-EU Nationals because they would have access to this information, they would be able to access it for investigation use and that includes serious crime obviously”.

A Detective Superintendent of Anglesea Street Garda Station (2022) outlines the uses for these surveillance information systems such as GNIB Information system. This system is used to track illegal migrants within the state.

The first thing you do is you check PULSE, you check Schengen, you check immigration, GNIB to see have they registered in the state, have they got documentation, have they claimed asylum, how long are they in the state, where did they first land, have they got residency, have they got permits to work you know, you can go on and on. Is their photograph there, is it the same person, you know fingerprints are taken, they use their credit cards to pay for the residency, have they got banking details, telephone numbers, addresses, contact details.

Internationally, an Garda Síochána connects and shares information with police forces in the European Union through Schengen Information System or SIS II, EUROSUR and Eurodac System. SIS II has functions for Cooperation on vehicle registration and border control. The aspect of SIS II I will focus on is the cooperation between law enforcement. SIS II is a shared database to be utilised by law enforcement under ‘Council Decision 2007/533/JHA’ within the states of the European Union. SIS II uses alerts, warnings and provides intelligence to inform other countries police forces that an individual is after travelling to their state and for this state to be on alert. “If I have an Irish guy here, I catch him for 20 kilos of drugs and he's just before the trial, he goes off and he runs off well I am going to put that person on the Schengen warning, I'm gonna put him on Interpol and Europol and I am going to put his fingerprints and his photographs and his DNA on the system so that 8 or 6 months' time he is arrested for drink driving in Berlin” (Detective Superintendent, 2022). All of this personal data which has been compiled through living and interacting with the world around the migrant (using an ATM,

booking flights with a credit card, name and details involved in identifying this persons bank, email address assigned to the account and the residence address) can all be utilised by the state to target, individualise and eventually remove an illegal migrant from the state. This process is reciprocated in Europe and acts as a key bordering procedure to uncover illegal migrants. “We are entitled to share data with different police services in relation to matters of police matters and security. You know and at the end of day a conviction is a public record that happens in the public court. The public are entitled to be there so what data are you protecting that is not out there already and should be out there already in terms of our public record” (Detective Superintendent, 2022).

EUROSUR is utilised to improve integrated border management and to support the prevention of cross-border crime between states. The piece of legislation which enforced this surveillance Information System was ‘Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European border surveillance system (Eurosur)’ (McMahon Legal, Borders - Brexit - An Irish Guide, (no date). EUROSUR is a surveillance information system that does not directly support immigration matters in Ireland but does support Frontex in their daily operations at the outer limits of the European border. “Frontex is responsible for coordinating the EUROSUR Fusion Services - Frontex shares information collected from satellites and other surveillance tools such as the ones used by the European Maritime Safety Agency and the EU Satellite Centre with Member States” (European Commission, Eurosur, (no date). Through this procedure, border checks along the South and Eastern borders of the European Union are constantly monitored and reported on by member states. Through these shared border procedures, Frontex builds risk assessments from these reports to further understand and monitor external border locations.

The Eurodac system is a database which stores the fingerprints of all persons who have attempted to claim asylum within Europe. If a person has applied for asylum in another state within Europe, this person can be returned to this country under the Dublin III Regulations. “You have the Eurodac System where records are kept of people who have made a claim in Europe and if a person has made a claim we say in Germany or Spain and that has been granted then it is up to them. The process is in place then to return them to that country. Because you know, they have already been assessed and they have been granted it in another European State. If they have failed in another country, it may be open to the Irish authorities to have a re-examination that if the circumstances have changed” (Spokesperson for DoJ, 2022). The Eurodac system is an extension of cross state diplomacy in matters relating to border control as well as an acceptance of responsibility for those who have claimed asylum within their state to be returned if they attempt to claim asylum elsewhere. “Under the Dublin convention we can return them to the country and that’s kind of an accepted procedure within the EU. If they come from Paris, we will talk to Paris and obviously we will let the immigration authorities know that we have somebody here, and this happens on a regular basis” (Detective Sergeant, Immigration Unit, 2022).

5.4 Externalisation of the Border through Cross State relationships

The Irish border is not confined to the land border of the Irish landscape, it extends beyond to the 12 mile limit off the coast of Ireland. Ireland also has a claim to 200 nautical miles in regard to its EEZ. “Under the 1982 Convention of the law of the Sea, a State may lay claim to an area of the sea extending from its territorial waters out to 200 nautical Mile (nm). As Ireland is an island with a large coastline on the extremity of Western Europe and not bordering any countries to the west/north west and south/southwest, our EEZ extends out to the 200nm

uninterrupted in those directions” (Lieutenant Commander, 2022). Beyond state territory, state actors such as ‘an Garda Síochána’ and the Irish Navy are involved in cross state partnerships and global operations to externalise state power in matters relating to illegal immigration. An Garda Síochána and the Irish Navy operate with the bilateral support provided between the UK and Northern Ireland in relation to policing matters in the Joint Agency Task Force. “We have liaison guards in a lot of countries, like they have them in Madrid, they have them in New York, I suppose liaising with the PSNI, we have soft borders so people can kind of come and go. Obviously, subversive activities is massive in this country and I suppose being able to work closely with people up the North who may be coming down to engage in criminality in the South and vice versa I suppose is only a benefit to both police organisations” (Detective, Serious Investigation Unit, 2022). Liaison officers located in regions around the world support the extension of Irish state power beyond the island of Ireland through the ability to track criminals beyond the state’s jurisdiction. These physical aspects of policing are supported beyond Irish territory, through the interconnected nature of policing and surveillance with Interpol internationally.

A Detective Superintendent of Anglesea Street Garda Station (2022) outlines the connections globally that members of an Garda Síochána are able to utilise in the war on crime due to its transnational nature.

if I need assistance in investigating Irish criminals committing crimes abroad or people who commit crimes here that leave the jurisdiction and I want to get them back, obviously, I want to be linked into Interpol, Europol, Frontex and MAOC-N. These are all agencies that we engage with, with a view to enhancing our ability to investigate crime here through cooperation with our European and international police agencies

for instance United States you've seen what's going on at the moment with the Kinahan cartels whereby Garda Síochána tries to develop partnerships through Interpol with America, the DEA, Homeland Security and the Dubai authorities.

Although members of An Garda Síochána's jurisdiction is limited to the confines of the state's jurisdiction, in certain instances, members of an Garda Síochána are permitted to engage with Irish registered boats and ships internationally. "if it's an Irish registered vessel outside in the Bahamas I can just go out there and get on that so there are exceptions but generally my jurisdiction does not extend outside the 12 mile my limits under the maritime jurisdiction act of 1959" (Detective Superintendent, 2022). Although the 'Maritime Jurisdiction Act 1959' does not permit members of an Garda Síochána powers outside the 12 mile limit, the 'Criminal Justice Act 1994' and the 'Criminal Justice Trafficking at Sea Act 2003' supersedes this piece of legislation if members of an Garda Síochána suspect drug trafficking at sea or human trafficking. Permission to board is granted through the consent of the state in which the vessel is registered under. This procedure supports the shared nature of policing between allied states such as Ireland and the UK and thus supports the wider protection of those under the CTA Agreement.

A Detective Superintendent of Anglesea Street Garda Station (2022) outlines the procedure in which members of an Garda Síochána are required to undertake to board ships not registered to the state outside the 12 mile limit. This process is achieved both nationally and internally. Nationally, the Department of Foreign Affairs is connected to the Irish Naval Service and an Garda Síochána. Internationally, the Department of Foreign Affairs utilises the connections made between cross state partnerships which initiate and operationalise the role of prevention from the state's defence forces in this operation.

Before I get into the boat with the Navy and the customs I'd have to get out to the department of foreign affairs in Ireland to get onto their counterpart in England to say listen there's a boat coming into Ireland, we don't want to let it in too close to the coast because someone else might get out there and get the drugs off it before we get to them, so we have the Navy ship out here, we want to search it, we want to seize it and if there's stuff on it we want to arrest it.

The Irish Navy is an extension of power beyond an Garda Síochána utilised by the state. “The Irish Navy is the primary seagoing agency of the state responsible for the protection of the state against armed aggression. This is achieved by routinely patrolling the Irish EEZ through our Maritime Defence and security operations (MDSO)” (Lieutenant Commander, 2022). By patrolling the Irish EEZ, the Navy contributes to the level of protection in the North-Western sea border of Europe. The Lieutenant Commander, Officer Commanding L.E Samuel Beckett (2022) outlines the Irish Navy’s extended roles to enforce control beyond the state’s jurisdiction. “Under certain multinational agreements, the Naval Service also carry out patrols beyond national jurisdiction on behalf of the state, for example North East Atlantic Fisheries patrols. In addition, Irish naval vessels are defined as Warships under the International Law of the Sea Convention (UNCLOS) and as such have worldwide jurisdiction over Irish-flagged vessels, as well as certain enforcement powers over other vessels on the high seas, beyond Irish waters”.

The Irish Navy and an Garda Síochána operate within European agencies to further enforce control at the outer extremities of the European border. MAOC-N and the likes of Frontex to the east of Europe are both examples of the level of interdiction being exercised beyond the

borders of European states in the effort to curtail criminality and illegal migration. Ireland, through the funding of the Internal Security fund of the European Union works alongside member states of MAOC-N in protecting European states in relation to matters of human and drug trafficking. These operations are achieved through working in the Atlantic Zone and pushing drug and human trafficking further from the European Union, into Western Africa, which is the new landing zone for these forms of criminality.

A Detective Superintendent of Anglesea Street Garda Station (2022) outlines MAOC-N's role in the Atlantic in protecting Europe from drug and human trafficking. The Detective Superintendent identifies the connected nature of policing and intelligence sharing which is utilised to support Navy's in international waters involved in MAOC-N by the member states.

MAOC-N management would be those in the Atlantic zone because it's about maritime sort of interdiction of drugs in particular and human trafficking coming from the Americas, coming from South America coming from sub-Saharan Africa and we're trying to prevent drugs getting into the European arena by utilising those West facing jurisdictions like Ireland like Spain like Portugal, like France and Germany and the Netherlands and the UK who have resources in terms of Navy and Coast Guard to try and utilise several resources more efficiently and effectively to counteract criminal activity.

MAOC-N is a cross state partnership which identifies, disrupts and dismantles “the command and control structures of the higher echelons of transnational organised crime” (MAOC-N, 2023). In these locations in which MAOC-N operates, the state works in a collaborative process to maintain the European border through the externalisation of power. In these locations

MAOC-N reinforces the state's understanding of where migrants, asylum seekers, people who are being trafficked or who are trafficking drugs are located prior to their arrival in the state. "The Criminal Justice Trafficking at Sea Act of 2003 allows me to actually board vessels outside the 12 miles if I suspect they are involved in drug trafficking at sea" (Detective Superintendent, 2022). This process validates the collaborative effort witnessed between these various agencies, departments and policy makers throughout these scales in an effort to control.

Through these operations, MAOC-N has forced certain aspects of criminality such as drug and human trafficking from Europe to the nearest landfall area in Western Africa which has resulted in the developing of contacts in the region to further expel these aspects of criminality. "You could see that because of the level of maritime interdiction that takes place in the North Atlantic now. What's happening now is the criminals are moving further and further South so the drugs may not be coming in directly to Europe as much anymore because it's riskier for the criminals" (Detective Superintendent, 2022).

5.5 Conclusion

The combination of both physical and non-physical enforcement throughout these different scales of interaction enhances the level of power that can be exerted by a state on a migrant interacting within these procedures. Surveillance information systems operate throughout boundless scales to observe, collect and inform police forces on certain migrants. Each moment and each action in the physical and non-physical world (internet) adds to the ever growing database on an individual that intersects with these surveillance information systems. Within these systems, state power in a non-physical state is transferable in an instant to locations

globally through cross state partnerships. Information provided from the collection of migrant data in Ireland can be shared from a computer screen in Cork to initiate a physical policing operation in Lisbon, Portugal. These surveillance information systems operate as a macro level extension of Bentham's panopticon to monitor society as a whole.

6 Irregular and involuntary migrants in the state - Tools to enhance Control through Provisions, Regularisation and Assisted Voluntary Return

Irregular and involuntary migrants impact upon the Irish migration system in an unorthodox manner. “Not everybody coming in will come in at a border, put up their hand, some of them will then come in for another purpose but their circumstances are changing and we will deal with that at that stage” (Spokesperson for DoJ, 2022). For these migrant categorisations, specialised support services are provided throughout the state’s scales of influence by state agencies, intergovernmental organisations and NGOs to assist ISD and GNIB in the process of registration or assisted voluntary return. This specialised structure is in place due to the exceptional nature in which these migrants arrive and require additional needs while residing in the state. The state operates its internal bordering procedures by strategizing in such a way that fulfils its international humanitarian obligations to migrants, while also supporting the state’s own efforts to control by locating and managing the movement of such persons throughout the state.

This chapter will focus on international protection applicants, resettled refugees and Ukraine nationals in their process for entry and registration within the state. Government agencies such as IPO, IPAS, IPAT, ISD, and GNIB operate from the national to local scale to support international protection applicants in their integration process within the state. These procedures are aided by the NGO sector which provides legal support to international protection applicants throughout their interview processes among other functions. OPMI, Tusla, IPO and members of An Garda Síochána support in the process to resettle refugees within Ireland in an externalised process of controlled migration. Ukraine nationals are supported by An Garda Síochána, the Red Cross, IOM and the Refugee Council of Ireland

along with ISD in the process of registration and accommodation which is initiated at the ports of entry and operationalised throughout the state.

This chapter will also identify further schemes and support services utilised to quantify irregular and involuntary migrants. Regularisation schemes for international protection applicants and undocumented migrants, International Convention Travel Document Restrictions and the Assisted Voluntary Return (AVR) of trafficked persons are all procedures utilised by the state to either prevent, return or regularise migrants to relieve pressure on the Irish Migration system. These border procedures are operationalised at the ports of entry, within the state and through the externalisation of the border to the migrant's country of origin.

Note: Irregular migrants (undocumented, trafficked persons).

Note: Involuntary migrants (International Protection applicants, Resettled Refugees and Ukraine Nationals - permission through legislation to remain in the state).

6.1 International Protection Applicant - Process At Port of Entry and Preliminary Interview

'International Protection Act 2015' is the key piece of legislation which outlines the procedure for an asylum seeker to remain in the state. "An asylum-seeker is someone whose request for sanctuary has yet to be processed" (UNHCR, Asylum-seekers 2022). Asylum seekers apply for International Protection under section 15, however, a preliminary interview must be completed at the ports of entry or at the International Protection Office (IPO) in Dublin under section 13 of this Act to ensure the asylum seekers application is admissible. At the port of entry, the immigration officer operates in accordance with the laws provided through 'Immigration Act

2004’ and ‘International Protection Act 2015’ by performing the functions of the minister to understand the asylum seekers' purpose in the state. This is achieved by asking personal questions in relation to the documentation an asylum seeker may present or has failed to present, how they have arrived at this Irish border and through sharing biometric data. If the Immigration Officer accepts the asylum seeker’s explanation, the Immigration Officer may proceed with the registration of the asylum seeker and check the migrants fingerprints against the Eurodac system under section 19 of ‘International Protection Act 2015’. This procedure is important as it initiates the process of creating a paper trail for the migrant within the state and can be utilised by the Immigration Officer to return an international protection applicant to “the Member State which played the greatest part in the applicant’s entry to the EU. In most cases this means it is the Member State of first entry” (European Commission, Asylum-seekers, 2022). If the International Protection applicant is successful in their preliminary interview, this applicant will receive permission to enter the state under Section 16 of the ‘International Protection Act 2015’ until their application for International Protection is examined by an International Protection Officer. From this point, the Immigration Officer will arrange transportation to the IPO through the International Protection Accommodation Service (IPAS). “If they claim asylum, there is a set procedure. You obviously register them, you put them on the system as we call it. Basically, there is a box and you tick the box that says asylum seeker and that hops up another field and then there is basic information which you complete in relation to him or her. Basically you give them a notice. You have to finger print them, they have to be fingerprinted and then you ring the crowd in Dublin. They arrange their transportation and their accommodation,” (Immigration officer, 2022). These operational moments to control the procedure of International Protection from the ports of entry into the state are maintained by the same state departments, Department of Justice and the Department of Children, Equality, Disability, Integration and Youth and their organisations. The process to

apply for International Protection is monitored at each distinct moment of the asylum seekers journey through specialised organisations, performing specific operations, which further supports this collaborative process of state control operating throughout these different scales.

Detective Sergeant of Anglesea Street Garda Station's Immigration Unit (2022) reaffirms the collaborative process that is involved in handling matters relating to International Protection Applicants. The Detective Sergeant identifies the scalar moments of interaction an Garda Síochána intersects with International Protection applicants and other state departments in carrying out specialised operations which are best suited to each department.

Once they come in through us at the point of entry and we register them and put them on the system and fingerprint and we give them an appointment to attend the IPO. We are basically handing them over to the International Protection Office then after that, so the processes are there and to decide whether they are entitled to international protection or not. If they are not and they decide no well no, they are to be deported, then we kick in again you know what I mean. In the interim we have no dealings with them until either they are being deported or they are being registered.

6.1.1 International Protection Applicant - Process for registration within the state

The IPO is “responsible for examining and processing applications for international protection” (International Protection Office, International protection, 2023) and is located at 79-83 Lower Mount St. Dublin 2. The IPO operates under the remit of ISD, the other key immigration organisation within the Department of Justice. This organisation handles administrative functions in the immigration process such as International Protection. However, as a

Spokesperson for the DoJ (2022) states, “the IPO is a separate agency. However it is responsible to the immigration services division, that would be, but it is actually set up as an independent authority, it is independent of the minister, it needs to be as is the appeals office. It is an independent process, however oversight of it, funding, budget, everything and is a matter for the minister” (Spokesperson for DoJ, 2022). Therefore, the Chief International Protection officer and his/her team of International Protection officers are required to be “independent in the performance of their international protection functions” (International Protection Office, Freedom of Information, 2022).

The IPO operates in a similar manner to an Garda Síochána by assessing applicants through a prolonged process of control. This procedure extends the border experience from the ports of entry to within the state. For Non-EEA nationals and International Protection applicants, Immigration officers attached to GNIB initiate this process of registration at the ports of entry. Within the state, this process is operated through different organisations such as Immigration Units located nationwide for the Non-EEA citizen, whereas International Protection Applicants are required to travel to Dublin to apply for International Protection within the IPO. For those applying for international protection at the IPO rather than starting their process at a port of entry, this procedure has been streamlined. “From Tuesday 8 November 2022 any applicant for international protection attending at the Reception Unit of the IPO will complete a preliminary interview, an application for international protection and will also be required to complete the Questionnaire (Application Process) (IPO2) regarding their application and the reasons they are seeking the State’s protection” (International Protection Office, International Protection Questionnaire (IPO 2) 2022). (Note: each international protection applicant is required to complete the same process for their International Protection application due to the single procedure application. Sharing biometric data, documentation and Eurodac checks are

all performed within the IPO). In support of submitting the questionnaire (IPO 2 Form), International Protection Applicants are advised to provide personal information such as ‘birth or marriage certificates, character references, testimonials or qualifications, etc’. Through this procedure, the state is able to gather further information on an individual and identify if this person is to be excluded from being a refugee under Section 10 of the ‘International Protection Act 2015’. After this process is completed, the asylum seeker is required to take a personal interview with an international protection officer to provide the reasons as to why they left their country of origin or habitual residence. The second interview is set in a similar manner to the registration process for Non-EEA nationals in Garda Stations nationwide. This procedure is utilised by the state to identify the locations in which applicants reside. This is achieved through sending letters to inform the international protection applicant of the time in which their personal interview will take place. This measure not only clarifies the location in which the applicant is residing in, but is also utilised to control the movement of migrants to a specific location in which state control can be enacted upon the applicant through personal questions within these interviews.

From the evidence collected and provided from the international protection applicant at the ports of entry and within the state, “an international protection officer will produce a written report containing a recommendation on your application for international protection” (International Protection Office, Assessment of application 2022) Under section 39 of the ‘International Protection Act 2015’. “A case worker will do the interview and make the recommendation to a senior officer, that senior officer will look at it and they will either agree or disagree with the recommendation that the person has made. If they agree with the recommendation in the normal course, that will be to grant refugee status” (Spokesperson for DoJ, 2022). From this procedure, an asylum seeker is recommended either a refugee

declaration, subsidiary protection or neither under Section 47, in which case the failed international protection applicant will be returned to their country of origin through a deportation order. Permission to remain in the state can also be provided under Section 49 of the International Protection Act 2015' by the Minister for Justice or this decision can be appealed through the International Protection Appeals Tribunal (IPAT) under Section 46. IPAT operates as another independent authority within this procedure and is located within the country's capital city, Dublin. IPAT "will either uphold the decision of the IPO or they will set aside the decision of the IPO, so again, there is 2 outcomes there, where they uphold the decision, then we are into a refusal, deportation or permission to remain, where they don't uphold the decision and they set aside that decision where that person will be looked at again and will be granted refugee status on that basis depending on what the outcome of the IPAT says and there recommendation so that's what that is" (Spokesperson for DoJ, 2022).

6.1.2 International Protection Applicant - Provisions of Accommodation and Support Services within the State

This cross departmental procedure to be granted refugee status and permission to remain is drawn out over months and in certain cases years as the procedure is operated on a case by case basis. Therefore, international protection applicants often require additional supports while waiting for a decision on their international protection application. IPAS is responsible for the provision of accommodation and support services to those in the Asylum process. This is achieved by sharing information and working alongside those within the IPO, ISD and GNIB throughout the process. "While that claim is being examined by the Department of Justice, IPAS offers accommodation and related services to International Protection applicants who

wish to accept the offer of accommodation from the Irish State. This includes all meals and utilities. Full access to public medical services is provided and weekly personal allowance is also paid to each person (€38.80 for adults and €29.80 for children). After six months, International Protection applicants are eligible to work if they have not received a first decision on their application” (Accommodation Services - Gov.ie, 2022).

A spokesperson for the DoJ (2022) identifies the cross departmental involvement in the creation of policies in regard to the provision of services for international protection applicants. The provision of services and accommodation fall under the umbrella term ‘Direct Provision’ which has been utilised within the state since the year 2000.

The International Protection Act is the process, the government policies then, they will vary depending on the department that you talk to, i.e. the Department of Transport had to do a lift on the licences, the Department of Social Protection has to agree in relation to the Direct Provision Allowance and Subsidiary emergency needs, payments, the Department of Health will have to deal with the medical card issue, the Department of Housing and local government when the person is granted refugee status that person is entitled to the same entitlements as an Irish citizen, they can go on the list for housing benefits, the department of Children, Equality, Disability, Integration and Youth, they would look at giving a person the International Protection Accommodation Support Services, i.e. the Direct Provision arrangements, the sourcing of the accommodation, the making sure that they have goods and stuff like that and the accessing of services locally. It’s a crossing, Direct Provision is a multi-department response to the needs of Refugees it’s not just the Department of Children or the Department of Justice, there are quite a number of Departments that feed into that to make sure that a person gets

everything that they are entitled to while they are waiting on a decision on their application.

To access these provisions provided through policy, an International Protection Applicant receives a TRC card. The TRC card is provided to all international protection applicants who comply with the process and are currently waiting for a personal interview or a decision on their application for international protection. “TRC is issued for either 3, 6 or 9 months depending on the stage of the process the applicant is at” (International Protection Office, TRC renewals, 2022). “The TRC card is granted to allow for the provision of a Public Service Number and access to the Direct Provision (DP) services as provided by all state Agencies and Departments, eg DP and other Payments from the Dept of Social Protection, access to Medical care and education. After 6 months where a person has not had a decision on their International Protection application they can make an application for a labour market access permission and employers can rely on the TRC card as proof of being in the International Protection process. The TRC card is not an identity card and is renewable while a person remains in the International Protection system” (Spokesperson for DoJ, 2022). The TRC card, although it is specifically stated that it is not an identity card, provides the asylum seeker with the ability to gain a Public Service Number while in the state. Through this process, the asylum seeker is uniquely quantifiable within the state. With the provision of a Personal Public Service (PPS) number to international protection applicants, the state is able to monetise through taxation and utilise the skills of certain individuals who wish to participate in Irish society through their involvement in the labour market after this period of 6 months. Revenue, the Irish Tax and customs service is used nationally by persons within the state to declare tax. In receiving a PPS number and by finding employment within the state, international protection applicants’ personal information is available to the state. Phone numbers, email addresses, home addresses,

bank details and places of employment are all compiled within this service alone. Each moment an international protection applicant accesses certain services within the state, this information is compiled within databases to further inform the state of the actions of a specific individual and can be utilised to enforce further control in other aspects of the migration process.

The accommodation aspect of the Direct Provision system operates as a further tool to control international protection applicants throughout the state. The locations where the Direct Provision Centres are situated perpetuate an isolated existence. A Spokesperson for the DoJ (2022) outlines the process for an international protection applicant to avail of the accommodation service of the Direct Provision system. Through this procedure, McKnight identifies the cross departmental interaction between IPO and IPAS through the referral of persons within the international protection process.

When somebody comes in to claim international Protection they are offered the services of the state which are provided through Direct Provision, it is a voluntary acceptance of that then, they are not forced to accept that, it is at their individual means or other needs or provided for themselves they are free to take up that. However, if they are looking for accommodations and they are referred to the IPAS and that's what they will work at then. So they will work to get them accommodation wherever they have. Up until the End of July this year there were 7,690 I think, that is just an approximate figure but what you have there is, the demand is huge, the services are demand led, the more people coming then, the more accommodation that needs to be found.

In Section 2.5, Lauren L. Martin discusses how 'the project of staying alive in detention' has been assigned a monetary value or worth due to the demand led nature of the service. Within

this system, persons are located in suboptimal locations and cramped conditions which do not support the integration of migrants into Irish society. This issue is compounded by the use of Emergency accommodation centres which operate through a 'For-profit' basis. "We got overtaken by events in that we started to have the accommodation shortage and it became harder and harder to house asylum seekers and then we had to resort to emergency accommodation which was unsuitable for any even medium term and also very expensive and also causing problems in local communities for I think the Department of Justice at the time didn't handle it very well in that they you know people arrived on buses overnight before anybody knew anything about it" (Day, 2022). In section 2.5, Agamben highlights the 'bare life' existence in these territorialised locations, thus producing a state of exception. The restrictive nature of the Direct Provision Centre segregates applicants within this spatialised container from Irish society. Through this process, applicants are bound to rural areas and thus, are unable to travel from these locations due to the lack of public transport routes. The Irish government utilises state actors to operate, categorise and monitor the actions of applicants within each Direct Provision centre throughout the state through this territorial border process. "If you are away from the accommodation centre for more than 3 consecutive nights, the accommodation centre manager will write to you to ask you for the reason why you were away. You could lose your accommodation if your explanation is not accepted. You could also lose your Daily Expenses Allowance" (Citizens Information, Direct Provision System, 2023). Further restrictions are implemented through policy decisions which limit an applicant's ability to access the employment market. "I mean there was stupid things like not having a driving licence which was stopping some people from being able to work because they're in rural isolated areas how the hell are they going to get a job if they can't drive 'cause there's no public transport etc etc also no right to work so a lot of them were working in the black economy or simply not able to find work" (Day, 2022).

‘A White Paper to End Direct Provision and to Establish a New International Protection Support Service’ was introduced in 2021 to rearticulate the current system. This policy document was created in support of the recommendations of the ‘McMahon Report’ in 2015 and the ‘Report of the Advisory Group on the Provision of Support including Accommodation to Persons in the International Protection Process’ or the ‘Day Report’ from 2020. Policy documents in this process are influenced by NGOs such as Nasc who work on a daily basis with migrants in this support service role. “In terms of policy we would have been involved in the different kind of working groups so the McMahon report working with that, we would have been on that group and so the Catherine Day group, we would have been one of the advisory members for the national standards on Direct Provision and we are currently part of a coalition, to end direct provision it's called ‘Stad’ it basically is to hold the Government to account on the white paper to ensure that it will be implemented” (Advocacy Service Manager Nasc, 2022). Key changes within the White Paper on Ending Direct Provision aimed to provide a more humanitarian approach to the provision of accommodation and services to international protection applicants in the state. One particular shift focused on ‘own door accommodation’ within phase 2. Through this adaptation, the state aimed to move away from the territorialised state structures i.e Direct Provision Centres for own door accommodation within communities around the country in a new deterritorialised procedure. Through this proposed shift, the state would hand select the location in which the migrant would reside through the diffusion of state power throughout the state rather than distinct locations. “We felt that people need to be integrated into communities so we didn't want any idea of building ghettos where you would put the asylum seekers even after they received permission to remain. We wanted to have the own door in the community close to amenities as well and we came up with the idea of the distribution key because we found it, if you spread the numbers over the country it was

manageable for each county” (Day, 2022). Through this rearticulation of the system, the state would be able to operate in a similar manner to an Garda Síochána throughout the state, through resettlement workers who are deployed nationally to maintain a connection with those in the International Protection process.

6.2 Refugees - Irish Refugee Resettlement Programme and Irish Refugee Protection Programme

A refugee is “someone who is unable or unwilling to return to their country of origin only to a well-founded fear of being persecuted for reasons of race, religion, nationality, member of a particular social group or political opinion” (Spokesperson for DoJ, 2022). The Irish state is a signatory of the ‘1951 United Nations Convention Relating to the Status of Refugees’ and its 1967 ‘Protocol Relating to the Status of Refugees’ which removed geographical limitations for its implementation universally. This piece of legislation outlines non-refoulement within Article 33 of ‘The Refugee Convention 1951’ which states that “no Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (The Refugee Convention 1951). Within Irish legislation, non-refoulement is supported within Section 50 of the ‘International Protection Act 2015’ and previously in ‘Refugee Act 1996’ Section 5. Through “EU council decisions EU/2015/1523 & EU/2015/1601” (Office for the Promotion of Migrant Integration, Irish Refugee Protection Programme 2018) the state is responsible for the protection and welfare of asylum seekers who are being moved from one European country to another through EU relocation. The Irish Refugee Protection Programme (IRPP) is the umbrella programme to support the resettlement of refugees and asylum seekers in Ireland. IRPP utilises members

from the IPO, an Garda Síochána, Office for the Promotion of Migrant Integration (OPMI) and Tusla in a cross departmental process to assist in the performance of needs assessment and security interviews within European states such as Italy and Greece.

The Irish state operates through the Irish Refugee Resettlement Programme (IRRP) in supporting the resettlement of refugees. Within the selection process for resettlement, the IRRP is able to hand select refugees. Members of the OPMI and an Garda Síochána are utilised in the needs assessment interview and security interviews as there is no need for support in relation to the international protection process. This form of migration management by the state is achieved in a controlled manner through the externalisation of the interview process to further filter the process for the state. IOM supports this process through the movement of refugees to the Irish state. “IRPP comes to IOM for the actual movement of resettled refugees, so they would agree on, the government would agree on a certain pledge number of how many resettled refugees they want to bring in the next years then they would identify countries where they would want to go in and select refugees and then we will organise the whole logistics and movement for them, UNHCR would be working more with the IRPP to identify a list of potential candidates” (IOM’s Chief of Missions Ireland, 2022). However, through the continued presence of members of an Garda Síochána with matters relating to immigration, the state is able to externalise the parameters as to which surveillance of the migration system can take place for all persons entering the state.

6.3 Ukraine Nationals - Entry and Registration within the State

The EU's Council Decision to activate ‘Temporary Protection Directive (2001/55 EC)’ on “4 March 2022, to provide immediate protection in EU countries for people displaced by the

Russian invasion of Ukraine” (Irish Immigration Service, Information on temporary protection for people fleeing the conflict in Ukraine, 2022) led all EU member states to implement these policies which offer “expedited stay, residence and work status for Ukrainian citizens and eligible Ukrainian residents leaving Ukraine” (Fragomen, European Union/Ukraine: Temporary protection status - country-specific updates 2023). On the surface, this EU legislative decision appears to remove the state’s power over border decisions at the point of entry phase with the removal of Visa requirements for Ukrainian nationals. In reality, the state has shifted its bordering procedures to provide a similar level of control within the state through its assemblage of departments, agencies and territorialised structures.

Detective Sergeant of Anglesea Street Garda Station’s Immigration Unit (2022) provides evidence of cross departmental relationships between an Garda Síochána’s community policing units, IPAS and the Red Cross in relation to processing and categorising Ukraine nationals within the state. Through this procedure, the Department of Justice and the Department of Children, Equality, Disability, Integration and Youth are connected through their specific organisations in a similar manner to the processing of International Protection Applicants.

A good example is the Ukraine nationals now at the moment. There are a lot of them coming in, they are coming in through us, so we are the first to meet them and we are the first, we have to process them. Then we pass on the information to the community policing units and they know where they are situated and they assist them and they interact with them. They get involved in the other state pullers, the likes of the red cross and IPAS and people like that you know.

The rearticulation of bordering procedures are witnessed throughout the Irish Migration System and in different states globally. The state border has been constructed in such a way through legislative decisions that it can expand both inwards and outward to maintain control over different categories of migrants and locations in space. The Ukraine conflict led to the Irish state utilising the NGO Sector and Intergovernmental Organisations such as IOM and the UNHCR in the process of registration and accommodation. By the 29th of September 2022, the registration process reached “crisis levels because we have the Ukrainian, we just almost, as of today, I think we might have 50,000 Ukrainians have arrived into the country, so the onset of the war in Ukraine, that has compounded the number” (Spokesperson for DoJ, 2022). The registration process is operationalised at Citywest in Dublin with the support of IOM and the Red Cross. “We're involved right now in helping the Department of Children to match Ukrainians who are in the emergency hotel accommodation with the pledging system which was set up by the Red Cross so concretely when you have a Ukrainian who comes in goes to Citywest, registers there and is getting to stay there up to 48 hours ideally. Then during that time either the person would go to an emergency hotel after that for a number of days or weeks sometimes or we have a team at city West who would be offering a few options to go and live in a vacant house which has been pledged by someone in Ireland or to go in to shared accommodation (IOM’s Chief of Missions Ireland, 2022). This procedure is implemented to maintain order and support the state in its effort to control the registration and accommodation process. Through this shared cross departmental interaction, the state is able to handle the increasing volume of Ukraine nationals within the state in need of provisions through the support of NGOs and intergovernmental organisations who extend the state’s power through these controlled elements of migration management.

6.4 International Convention Travel Document Restrictions - External Process

Refugee status allows for the movement of people through an International Convention Travel document. A Spokesperson for the DoJ (2022) outlines the entitlements of travel for those with refugee status within the state in which “they get an IRP card, that allows you to travel freely from and return to the state”. The Irish state through this procedure is attempting to regain further control in the externalisation of state power by suspending the automatic entry into the state which was provided by the Convention Travel Document for refugees outside of Ireland. This procedure is in response to the increasing numbers of asylum seekers and refugees arriving at the state’s ports of entry, particularly from European states. The state now requires those travelling under the powers of this document to also attain a Visa prior to entering the Irish state as a precaution. “It’s just there for the next 12 months and then it will be reviewed. It’s just to, trying to manage and monitor the number of asylum applications, International Protection Applications that are being made in the country” (Spokesperson for DoJ, 2022). This policy decision alleviates pressure from the operational side of the migration system, from the ports of entry through the procedures detailed in ‘Immigration Act 2004’ to the registration of persons within the state. This policy decision also acts in the externalisation of power to the country of origin through the Visa application process that is now required for refugees and asylum seekers in European countries. This detailed procedure will support the state in identifying asylum seekers and refugees arriving at the state's ports of entry.

6.5 Regularisation Scheme - Internal Process to identify and Regularise involuntary and irregular migrants in the state

The state utilises regularisation schemes to alleviate pressure on the Irish migration system. The state in this process introduced ‘Regularisation of Long Term Undocumented Migrants Scheme’ on Monday 31st of January 2022. The purpose of this scheme was to “put people back on the track, even get necessary rights and making sure that you know they're not being abused by employers and so forth because they're being paid you know, on the, on the black market” (IOM’s Chief of Missions Ireland, 2022). Through the regularisation of long term undocumented migrants, “(4 years residence in the State without an immigration permission)” (Immigration Service Delivery, Regularisation of long term undocumented migrants scheme, 2022) the state is able to identify persons who have evaded an Garda Síochána and the state’s surveillance system. This is achieved in both a successful and unsuccessful application. With a successful application, the migrant is granted a stamp 4 from an Immigration Registration officer located in Garda Stations nationwide. This migrant will also receive an IRP card which acts as a mobile border control utilised within the state. For undocumented migrants who do not meet the requirements for this scheme, the state is now aware of the location in which these migrants are located and can issue a deportation order under Section 3 of the ‘Immigration Act 1999’ which can externalise state power to the country of origin. However supports such as Assisted Voluntary Return (AVR) can be utilised to enable “such a person to return to the State at a future date if they establish a legal basis for doing so whereas a person who is the subject of a Deportation Order is legally obliged to leave the State and thereafter remain outside the State”(Immigration Service Delivery, Voluntary returns, 2022).

For those within the international protection system, the ‘International Protection strand of the regularisation scheme for long-term undocumented migrants’ began on the 7th of February

2022. This scheme aimed to support asylum seekers who had been in the Direct Provision system for over 2 years. “So we had I don't know roughly 10,000 people in direct provision and we proposed a regularisation of anybody who had but there for more than two years simply on the basis that if people have been here for two years they have settled to some extent many of them have children at school etc it's unlikely that we're going to deport them just for humanitarian reasons so why not face up to the reality and regularise them and that is happening now (Day, 2022). The state, through this procedure, would remove a portion of asylum seekers from the Direct Provision system and thus, would reduce the total spend in relation to the financial support required to fund this private sector dominant structure and alleviate the reliance on Emergency accommodation centres. This procedure would also support in removing the bottleneck that had formed by those who remained in the system long past their proposed wait time. “Asylum applications are up almost 300% year on year when we look at 2019 to 22 because 2020 and 21 were covid years” (Spokesperson for DoJ, 2022).

6.6 Trafficked Persons - Internal Supports to initiate Return to Country of Origin

The role of rehabilitation for those who have been trafficked is provided from certain support services such as Atlas House in Tralee which is operated by Jesuit Refugee Service Ireland. Through these support services, the state is able to support the return of those who have been trafficked to their country of origin. “We do work closely with and I have done previously with Atlas House in Tralee. They are kind of, they look after people that have been trafficking and try and get them back to their own country so I suppose we would have had an issue back along with Eastern Europeans being used to sell drugs so I suppose if we deal with them and we

identify I suppose that they are at risk we get in contact with Atlas House or drop the people down there and they oversee them getting back to where they came from” (Detective, Serious Investigation Unit, 2022). The state utilises the support of IOM through Assisted Voluntary Return to support in this procedure. “Potential victims of trafficking who are in the national referral mechanism can come to us, obviously go to NGO’s who can provide protection support in addition to the Gardaí but also will come to IOM if they want to return back home so we have a whole program to assist vulnerable victims of trafficking to return back home” (IOM Chief of Missions Ireland, 2022).

This procedure is shared throughout different scales and through different organisations. An Garda Síochána operates at the ports of entry and throughout the state to uncover trafficked persons involved in criminality. This process is supported by surveillance information systems and the IPIU in discovering trends of repeat offenders booking flights for trafficked persons. Within the state, NGOs such as Atlas House and An Garda Síochána work in unison to provide support to those who have been trafficked. In the externalisation of this procedure, IOM, NGOs and an Garda Síochána operate to return persons through assistance beyond the border of the state and to the country of return.

6.7 Conclusions

This chapter identifies the different procedures utilised by the state to manage and quantify migrants based on their specific classification. Each involuntary migrant within the state based on their specific categorisation (international protection applicant, Resettled Refugee and Ukraine national) goes through the exact same protocol to register, receive accommodation or to avail of specific support services. The Irish migration system has transformed over time

through the support of technological advances in surveillance and migration management in that each movement a migrant makes within the state is archived and chronologically ordered. This process is implemented to aid the state in identifying and operating the next bordering procedure within this chain of operation. Through this enhanced form of surveillance, the state can operate in both a physical and non-physical form of control to identify and monitor the movement of migrants within the state. If for example, a preliminary interview does not take place at the port of entry, this can be checked at the IPO and be performed in this location instantaneously. These border processes occur simultaneously within the state from local Garda stations, hospitals, language support classes among various other support providers located throughout the Republic of Ireland's territory to add to the state's migration management structure.

The state, in certain instances, is forced to diverge from the normative order when placed under intense external or internal pressures. The ideas proposed by Giorgio Agamben's 'State of Exception' can be utilised in an Irish context to provide support for the re-implementation of the Direct Provision system within Ireland.

'A White Paper to End Direct Provision and to Establish a New International Protection Support Service' was introduced in 2021 to rearticulate the current Direct Provision System. These policy changes aimed to support the integration of asylum seekers into Irish society through own door accommodation in communities nationwide. However, as the state continues to struggle with its own housing crisis and its pledge to support Ukraine nationals arriving within the state, the state has been unable to implement any significant changes from the white paper. "We got overtaken by events in that we started to have the accommodation shortage and it became harder and harder to house asylum seekers and then we had to resort to emergency accommodation which was unsuitable for any even medium term and also very expensive and

also causing problems in local communities. I think the Department of Justice at the time didn't handle it very well in that they you know people arrived on buses overnight before anybody knew anything about it" (Day, 2022). In the state's effort to modernise its bordering procedures by utilising own door accommodation for international protection applicants in the state, the Irish government was forced to resort back to the widespread implementation of Direct Provision as well as further emergency accommodation centres. These territorialised structures provide the state with a more direct process to monitor and enforce control which has subsequently aided the state in relieving pressure on its migration structure. This draconian form of migration management reinforces the idea that state control remains and will remain the key factor in state decision making throughout the state.

7 Conclusions

This Master's research aims to investigate the Irish state's geospatial engagement with its border processes. Semi-structured elite interviews and document analysis were carried out in a blended qualitative approach to identify the conceptual foundations of the Irish migration system. These qualitative data sets were informed by CDA which explores the links between language use and its social context. By analysing these data sets, the ideas surrounding space producing interrelationships became an increasingly observable theme throughout the Irish migration system. As space is in the constant process of being constructed by the state, interactions within these boundaries can begin to be produced but are never completed as "there are always connections yet to be made" (Massey, 2005, p.11). The Irish migration system, for this reason, can be utilised to provide a clear understanding of how interactions can occur simultaneously within space but can be enforced differently from one migrant categorisation to another, thus highlighting a hierarchical, differentiated migrant structure.

To support my conceptual framework, I focused on the scalar principle of control that operates between organisations, agencies and departments from the local, to the regional, to the national and international level to underpin the Irish migration system. From this position, I identified specific border processes, utilised to control certain migrant categorisations, throughout these scales of state influence. The state operates at three distinct locations in an effort to deploy border processes throughout the migration system. These procedures take place at the border or ports of entry, external locations outside the state or within the state.

The discussion around scale is relative to the particular certain procedure that is being undertaken. This is evident throughout each bordering process the state utilises. For example, the process for entry and registration for voluntary migrants is operated by the state through a

hierarchy of rights. In this procedure, the Irish state is able to create additional border controls for states that do not share common border regimes with the Republic of Ireland. For this reason, visa requiring non-EEA citizens were identified as the main focus for this specific engagement with my research. For these migrant categorisations, state control is initiated outside the state and within the country of origin through 'remote control' at the international scale. This aspect of migration management acts to infiltrate foreign territories over a prolonged period through non-physical externalised border controls. Visa applications initiate this process and require weeks to complete to legitimise the information that the migrant provides. These border encounters invade private space as the Irish border is now operational within the non-EEA citizens' place of residence. After this process is completed, the airport in the country of origin builds upon this procedure through airline carrier checks and passport controls prior to departure. This process is replicated within the Irish state by immigration officers who re-examine these same documents and add to this specific bordering moment by granting permission to enter the state.

This process of adding additional border control measures continues to be built upon, over and over, within the Irish state by state actors reaffirming the information and documentation that has been required at each phase. Discrete, mobile border controls in the form of IRP Cards operate in a diffused manner throughout the state to make non-EEA citizens visible upon request from state authorities. This personalised 'registration certificate' is a document that must be carried by non-EEA citizens at all times. Through this requirement, any space within the Irish state's jurisdiction can act as a border point to produce interrelationships between a migrant and a member of an Garda Síochána. This specific interaction in both outcomes (being asked for an IRP card or not being asked for an IRP card) can continue to be created after each interaction with an Garda Síochána due to the diffused nature of Garda members being located

throughout the state. This specific legislative decision utilises members of an Garda Síochána to operate as mobile border checkpoints throughout the state for non-EEA citizens.

The process of removing migrants is operationalised within the state at the local, regional and national level to externalise the state's power outward. Undocumented migrants, including migrants whose documentation is no longer in date, failed International Protection Applicants and migrants involved in criminality are all involved in this procedure of expulsion. This process is often initiated at the local and regional level through the support of An Garda Síochána's intelligence units. At these scales, members of An Garda Síochána utilise surveillance information systems which operate to compile data on migrants at a variety of levels through the PULSE system. At the international level members of An Garda Síochána are connected to other state police forces through SIS, Eurodac, Interpol and Europol. Within the state, CHIS and GNIB information systems are utilised by immigration officers and high ranking Garda members in the prevention of transnational crime within Ireland. After this information is compiled and analysed, members of An Garda Síochána at the local level operationalise sweeps with the support of GNIB. These operations connect the national level to the local level through these shared border procedures to control. If there are migrants found to be operating within the state without the correct permission, the state can detain such individuals at the local level. At the national level, the state, through a shared procedure initiates the process for a deportation order for migrants found to be guilty of residing in the state without permission. This decision is imposed by ISD and operationalised by GNIB in a coordinated procedure with local authorities to perform the deportation order. These operations are completed at airports located nationally in which the migrant is returned to their country of origin.

The process of prevention at the international scale builds upon the process of removal that is operationalised within the state. Cross state partnerships are key in this procedure due to the scale at which these externalised border processes take place. MAOC-N operates as a multi-state operation made up of Ireland, France, Italy, Spain, the Netherlands, Portugal and the UK to patrol the Atlantic Ocean and support in the prevention of drug and human trafficking within the European region. This shared external procedure is operationalised within Ireland through An Garda Síochána and the Irish Naval service. Through these shared procedures, the scope of control is extended across these various state actors by sharing intelligence. Through these collaborative operations, aspects of criminality mentioned prior have been pushed beyond European borders to Western Africa.

For involuntary and irregular migrants, the state utilises schemes, support services and registration procedures to quantify these specific migrant categories within the state. International protection applicants were a clear focus of this empirical research due to the exceptional circumstances in which they arrived in the state, either at the ports of entry or at the IPO office to register for international protection.

Those claiming asylum often arrive at the ports of entry without documentation outlining their permission. Therefore, the state's first task is to check an individual across various international databases. Eurodac is the first system used as the state can enforce Dublin III Regulation if the migrant has claimed asylum within another European state. SIS II is also checked to identify if there is a SIS Alert out for this specific individual's arrest. If these procedures return with negative results, the immigration officer can perform a preliminary interview for international protection. This procedure is initiated at the port of entry and is utilised to collect personal information on the migrant. For each migrant category in this empirical chapter, the state

utilises a registration or interview process to collect information which would have been gathered by other means throughout the various stages of the Irish migration system.

After the state has established who this individual is, immigration officers located at the ports of entry contact IPAS. This procedure is a controlled process in which asylum seekers are transported to the IPO from national airports and ports. At the national level, the IPO interacts with asylum seekers through a prolonged registration process. In this registration process, interviews and questionnaires are utilised to provide further information on asylum seekers. The state deliberates over the interview process and the results from these interviews over a period of months to confirm the data that has been collected is accurate. Therefore, international protection applicants are often required to avail of the Direct Provision system and its services. These services are supplied by IPAS and lead to the diffusion of asylum seekers throughout the state through the provision of accommodation. The Direct Provision centre operates as a territorialised structure in which asylum seekers are monitored on a daily basis. These internal bordering procedures isolate and limit migrants' interactions within Irish society for the purpose of control.

7.1 Future Research

Directions for future research may investigate the complex migratory patterns that have developed as a result of the CTA Agreement between the Republic of Ireland and the UK post Brexit.

Reasons for this area of research:

- Brexit's influence on migration patterns and figures post and prior to the UK leaving the EU (within the UK and Ireland).

- UK policy shifts in relation to asylum seekers. Memorandum of Understanding between the UK and Rwanda governments “to establish an asylum transfer scheme”.
- Increase in Asylum applications in Ireland, In “2022 the number of people claiming international protection increased significantly, with 13,651 applications made with the IPO. This is a 186% increase on the same period in 2019” (Harris, 2023).
- Ireland’s continued membership in the EU. Border control issues at an EU external border?

Directions for Research may investigate the re-establishment of operationalising deportations and Sweeps post Covid-19 pandemic.

Reasons for this area of research:

- Increased levels of surveillance at the ports of entry with the introduction of IPIU in 2018 to collect migrant data.
- Increased levels of surveillance throughout the state with the implementation of SIS on the 15th of March of 2021 (Garda, 2022).
- Reduced number of migrants within the state during this period led to the reduction of these operations. “Targeting different, I wouldn't say nationalities but different areas, but there hasn't been one for a while. I think Covid would have set a lot of stuff back anyway and would have set a lot of deportations back and stuff like that. So we are only getting back to some degree of normality again now” (Detective Sergeant, Immigration Unit 2022).

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