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CROSSING THE BORDER

EMBRACE NI Fact Sheet November 2013

For those of us who were born on the island of Ireland crossing the border is easier now than in the past, as transport and roads are better and violence is no longer an every-day occurrence. Travel is not so easy for all foreign nationals. Because of the fear of organised crime and unauthorised migration the authorities, north and south, co-operate in monitoring cross-border travel and difficulties can arise for people, even when they think their paperwork is in order. This sheet gives some background information. We also include some organisations where people can go for help in N. Ireland.

Some facts

- Immigration laws relating to travel across the island of Ireland are complicated.
- The Republic of Ireland and UK form part of the Common Travel Area and nationals from both countries can travel freely throughout the area. Additionally, for European Economic Area (EEA)* nationals and their family members, European Union law rights of free movement apply. People from outside Europe may require visas to travel throughout the area.
- Generally, however, a person holding a UK-issued visa needs permission to travel to the R o I and people with visas issued in the R o I will need to get permission to travel north. This requirement applies to people who are seeking asylum and to refugees as well.
- The R o I has a Short-stay Visa Waiver scheme whereby it accepts some UK-issued tourist visas for certain nationalities. The purpose is to encourage visitors. The UK does not have a reciprocal scheme.
- Foreign nationals with visas and/or work permits in the south also need to get permission to travel north.
- Applications for asylum should usually be made in the country where people first arrive.
- Breaking immigration law can lead to detention, deportation, and a ban on re-entry to the UK.
- Racial profiling is unlawful. To minimise the risk of questioning or arrest, however, when crossing the border minority-ethnic people, even those from the EU, may find it easier if they carry documentation.

*The EEA is made up of the European Union states plus Iceland, Norway and Switzerland.

Operation Gull is a cross-border operation headed by the United Kingdom Immigration Service and the Garda National Immigration Bureau. It involves the Gardai, PSNI, and the UK Border Agency and detects and detains people suspected of immigration offences. Each year recently several hundred people have been apprehended in Northern Ireland, taken to the Larne House Short-Term Holding Unit, and then removed from the country or taken to removal centres in Scotland or England. It is difficult for people to contact friends or legal support during this process. The project is meant to stop criminal gangs, human trafficking, illegal working etc. but can affect other people. For example, a Corrymeela Community volunteer from South America, who was invited to spend a social weekend in Dublin, was stopped on the journey and returned to Belfast where she found herself alone at Central Station late in the evening. Minority-ethnic Derry GAA supporters have been removed from buses going to matches in Croke Park, Dublin.

WARNING

People extending social invitations, or sending people to conferences or training courses south of the border should remember that getting permissions takes time. Travelling across the border without proper papers is taking a risk and can have very negative consequences. It is no good just saying 'Sure it will be all right.'

INFORMATION & SUPPORT

If you are unsure whether or not your immigration status permits you to travel to the Republic of Ireland, you are advised strongly to obtain advice before you travel. You can contact the **Law Centre NI**, **STEP** or the **Belfast Migrant Centre**. If you are detained while travelling, the **Law Centre NI** can provide advice. **Immigration advice** is available only from a number of organisations registered with the Office of the Immigration Services Commissioner. www.oisc.gov.uk

Law Centre NI

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Textphone (0)28 9023 9938
E-mail admin.belfast@lawcentreni.org
Web: www.lawcentreni.org

Law Centre (NI) North West

9 Clarendon Street
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BT48 7EP
Tel: (028) 7126 2433
E-mail:
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Law Centre advice lines

Belfast (028) 90244401 or Derry/
Londonderry (028) 71262433.

The Belfast Migrant Centre

2nd Floor Ascot House
24-31 Shaftesbury Square
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STEP

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