

January 2004

The granting of an Irish passport is, in effect, only a form of pre-entry clearance. It does not grant permission to enter Ireland. It enables the airline to let you board their aircraft in order to fly to Ireland. Immigration officers at your destination can deny or grant you entry. This includes officers in London who process visitors on behalf of the Irish Government.

Filipino passport holders strictly require a visa each time they enter Ireland, including entry from Britain and Northern Ireland, even if they have current permission to reside in Ireland. (there are no passport checks at the Irish border). However you can encounter spot checks at road check points and on trains.

You must type clearly in **BLOCK CAPITAL LETTERS** in your application. If they can't read it they won't process it and you'll be refused. Also **ALL** questions must be answered; and you should take note of the reference number of your application.

IF YOU ARE ALREADY LIVING IN IRELAND and want to return to the Philippines for a short holiday, you may apply for a re-entry visa by post or in person to the Garda National Immigration Bureau's Visa Office Burgh Quay (near O'Connell Bridge) on Monday to Thursday 8.00 a.m. to 10.00 p.m. Friday 8.00 a.m. to 4.00 p.m. The visa office is not open Saturday. Only the registration office is open Saturday 10.00 a.m. to 2.00 p.m. for those newly arrived in Ireland.

IT IS NECESSARY TO QUEUE PRIOR TO OPENING TIME AT 8A.M. Start standing in line at 3am in the morning to be sure of being one of the 300 who they issue visas to each day.

You present the following with original documents:-

1. Passport.
2. Three recent passport photos.
3. Certificates of Registration (the green book).
4. Work permit (if employed).
5. Passport or other proof of EU citizenship of Irish/EU spouse (if married to one).
6. Marriage certificate (if married to EU national).
7. The EU spouse's birth certificate (in cases of discrepancy between the passport and marriage certificate).

The visa office cannot accept applications for re-entry visas involving **change of status** in Ireland. Such an application must be made to Immigration and Citizenship Division at Burgh Quay

Dublin 2. In general persons granted visas for a particular purpose are not permitted under Irish law to remain in the state for any purpose other than that for which the visa was specifically granted.

CHILDREN UNDER 16 YEARS OF AGE travelling on their own travel documents must be in possession of a valid visa.

IF VISITING FOR THE FIRST TIME (*it is essential for Filipino sponsors to complete a sample of an "Ireland Application for Visa" form to send to the invited person in order for the applicant to copy the contents onto the application forms which they receive at the Irish Consulate. Failure to provide this sample invariably results in wrong information being entered onto the form in the Consulate*)

for a visit you must:-

1. apply in your country of **permanent** residence and attend for a personal interview.
2. Present letter from your sponsor in Ireland undertaking to provide applicant with accommodation.
3. Evidence that the applicant has sufficient funds to maintain him/herself during stay. For instance a letter from Irish sponsor undertaking to support the applicant financially during their stay.
4. Evidence of obligations in the applicant's country of permanent residence, like for instance, letter from employer/college certifying intention to return there after the visit. It might be a good idea to show that you've paid fees for the next school term, and letter of registration from Philippine college or school verifying duration/nature of course.

IF COMING TO STUDY.

1. letter of registration from college or school verifying the duration/nature of the course.
2. Evidence that the required fees have been paid in full.
3. Evidence that the applicant has sufficient funds to maintain themselves for the period of proposed stay.

APPLICATIONS ARE DECIDED QUICKLY in the case of well-travelled business people, and Filipinos residing in Ireland or Europe, or those with valid visas for other EU or Schengen Member states. Others, however are referred for

decision to the Department of Justice in Dublin. Therefore these applicants should apply at least three weeks in advance of intended departure. **Irish Consulates have to refer all applications to a supervising Embassy or to Dublin.**

Applicants who are married to EU citizens are exempt from fees.

REGISTRATION. You only need to register with the police if you intend staying for longer than three months. At this stage one is given a plastic ID registration card which should then keep up-to-date.

VISA OFFICE SERVICE STANDARDS.

1. Providing friendly and efficient service to our customers.
2. Training staff in quality service.
3. Treating people on the basis of equality without discrimination.
4. Dealing within one hour with personal callers to the public office.
5. Processing applications lodged in the public office on the day, either by issuing visas or referring them to Dept. Justice.
6. Dealing with applications received by post, courier etc. Within one working day.
7. Returning incomplete applications with a clear explanation of the additional documents required, and the name of the relevant officer.
8. Explaining fully why some applications cannot be accepted.
9. Having telephone enquiries dealt with quickly by friendly, experienced and helpful staff, more complex problems being referred to a supervisor.
10. Staff giving names and telephone numbers when first contacted in writing or by telephone.

THE SCHENGEN VISA.

The Embassy of the Federal Republic of Germany in Manila informed the Philippine Department of Foreign Affairs that effective July 1, 1998, Germany held the Presidency of the 1985 Schengen Agreement on the Gradual Abolition of Border Controls.

The Schengen Agreement has entered into force for Austria, Belgium, Greece, France, Germany, Italy, Luxembourg, the Netherlands, Portugal and Spain.

For travel up to ninety (90) days duration, the Embassies of the abovementioned countries in Manila issue a common type of visa which allows the holder to travel also to Member States of the Schengen Agreement other than that of his/her main destination.

It is important that Filipino applicants recognize that the Irish Government are not very interested to ensure a successful application.

The following information appeared in the Manila Bulletin in February in relation to applying for a U.S. visa. However the points should be taken on board when applying for an Irish visa:- *(This following section was published in the Filipino Association newsletter in Summer 1997 and reprinted again here).*

Although there is no specific criteria for deciding to grant a visa, Consular Officers are seeking evidence of:-

- a. A strong economic situation in the Philippines, most often demonstrated by the employment situation to which a visa applicant would be likely to return.
- b. Strong family ties to the Philippines in which the immediate family members primarily reside in the Philippines.
- c. A logical purpose for the trip such as legitimate business, family visitation or tourism.

DOCUMENTATION IN SUPPORT OF A VISA APPLICATION.

Another persistent source of misunderstanding involves the documentation necessary to obtain a visa. There are in fact no specific documents which visa applicants are required to present. If applicants choose to supplement their application with additional documents, the information should be concise, well organised, and confirm or amplify the basic information requested on the application form. For example, business travellers may choose to present brief letters which explain their position at their respective companies, the reason for their travel, the proposed dates, and the source of funding for their visit. This additional information notwithstanding, the vast majority of visa applications stand or fall on the basis of the information supplied on the application form. Simply put, there is no single document which will guarantee visa issuance.

Misunderstandings can also arise among visa applicants because of a belief that outside intermediaries can help them to obtain visas. There is no need to rely on other people in order to apply for a visa. No amount of outside help can guarantee that a visa will be issued because every person's application is considered on its own merits and on the information the applicant presents to a consular officer.

IRISH OFFICIALS PROBABLY TAKE THEIR CUE FROM US IMMIGRATION GUIDELINES.

One of the most fundamental misunderstandings arises from a lack of knowledge about US laws governing issuance of visas. Some applicants whose applications are rejected may feel that this is done for personal reasons. However, this is not the case. Under US immigration law, consular officials are obliged TO PRESUME THAT ALL APPLICANTS FOR TEMPORARY VISITOR VISAS IN FACT INTEND TO IMMIGRATE TO THE US. The law calls upon them to make this assumption and their primary responsibility is to uphold the law.

The applicant must convince the consular officer that the visit will only be temporary. The interviewing officer evaluates each applicant's economic, social, and family ties to the Philippines, as well as the applicant's work history and previous travel experiences, in order to determine whether the applicant overcomes the presumption of intending immigration built into US law. If the consular officer concludes that the applicant will depart the US following a temporary visit, the applicant will generally receive the visa.

If the visa is denied the consular officer is not questioning the applicant's character but instead is reaching an administrative decision based on the information the applicant has presented in the context of US law. If the request is denied, this simply means that the interviewing officer has concluded that the applicant does not have compelling reasons to return to the Philippines.

The majority of Filipino applicants at the US Embassy receive visas. Of the more than 170,000 applicants for visitor visas each year, 65% are successful.

OTHER SUGGESTIONS TO TAKE ON BOARD.

1. Think very carefully before applying for a visitors visa as a refusal will probably result in an official mark on your passport if your application is turned down. Other countries may then also refuse you admittance.

2. It is better for the sponsor to obtain a sample visa form and prepare well, before the applicant completes the real one; this is just in case she misunderstands the questions. She will also have to indicate she is only coming for a short time, and there is enough money to support her while visiting. The Consulate may require evidence to back up your claims.

(a) You may be asked how long she intends to stay. Do not be vague, **but give a firm end of date.**

(b) Make sure you have all the relevant information and documents needed to prove the purpose and length of visit.

(c) Once in Ireland one cannot change a visa to another category such as "student" or "work permit holder".

ENSURING A SUCCESSFUL APPLICATION.

It is important that Filipino applicants and their Irish sponsors recognise that the Irish Government are not very interested to ensure a successful application. In the opinion of many the processing of the applications in Dublin leaves a lot to be desired. It is believed that most applications from Filipinos are refused. It is amazing the type of people who are refused visas; for instance on approximately 15th September '98 a Filipino lay missionary was refused a visa to come to Ireland for a conference in spite of the fact that she had been here before and it was obvious that she would not be gainfully employed. If missionaries are now being refused what chance do others stand ?

IRISH VISA APPLICATIONS

HERE WE MUST INCLUDE A HEALTH WARNING FOR IRISH VISA APPLICANTS.

There is evidence to suggest that the differences in answers given - by the applicant and sponsor - to certain questions, give rise to refusals because the answers given are not sufficiently compatible. It is therefore important for the sponsor to ensure the Filipino applicant is adequately briefed in all aspects before completing the application. This can be achieved by the sponsor downloading a visa application form for "preparation purposes", the applicant in Manila will be required to complete an identical application form, and you can familiarise her with the questions and answers. I understand there can be an informal interview with the applicant in Manila, but nothing like as severe as the interrogations at the British Embassy which can go on for three hours. Visas have even been refused on the grounds that the applicant said she was coming for two months, while the sponsor said one month.

In all immigration matters the burden of proof is on the applicant to prove without doubt the facts of the application. The only way of doing this is to have all evidence in documentary form for presentation with the application.

There had been a court case to determine the Departments right to withhold information. The Ombudsman's office, is prevented by law from investigating visa cases.

HELPFUL DOCUMENTS FOR BRITISH APPLICANTS.

These requirements are not actually stated in government information documents; however it is important for British subjects to be aware that they maybe helpful to Filipino applicants at the British Embassy; the Irish authorities may also be impressed by same:-

Copies of the sponsor's current passport.
Evidence of financial support available in Ireland like recent payslips or bank statements from the sponsor, or a letter from his employer confirming the salary, a letter confirming the sponsor's willingness to support the applicant.
Evidence of accommodation in Ireland, if the accommodation is rented, a letter from the landlord/ council to confirm the size of it, and that there is no objection to another person living there, could be sent.
If on mortgage the building society or lender could write such a letter. Yearly mortgage statements can help or other official documents associated with the purchase. If the accommodation is owned outright, a copy of the deeds of the house will show its size. If applying for a fiancée she should have saved all her letters to show there is a relationship between them, the older the letters the better, as they confirm how long the relationship has existed. Introduction letters seem to have special importance - at the British Embassy for instance - as they give a good indication as to how they were introduced to each other. (postmarks prove the date of writing). Proof that the couple have met could include photographs of them together.

Filipinos are naturally very upset when they are told their application has been refused and may feel they have failed their friends in Ireland. They should, of course, be advised before applying that if they are unsuccessful it is most likely not their fault. They should also be advised that if successful, all is not over yet! On arrival at London they have been given full medical examinations by doctors and some questions from the immigration officer. Applicants should be prepared for this; but generally speaking London immigration don't hassle Filipinos with Irish visas and onward tickets.

Another obvious requirement is a letter from the applicant's employer confirming she will be returning to work with them after her visit to Ireland.

RELATIVES FROM THE PHILIPPINES.

Filipinos living and married in Ireland to Irish spouses are often devastated when close relatives or friends are refused permission to visit from the Philippines.

They hope that one day their mother will visit them. But what will happen when they look for visas. Very few are granted. No explanation is ever given by the Department of Justice. A few years ago Senior politicians like Liz McManus said they have never met anything like the secrecy, obfuscation and sheer bloodymindedness of the Department of Justice. She decided to go into the visa office herself. The address is not in the phone book, so she phoned up the Department of Justice. The woman in the Department nearly had a fit, and said on no account was she to come without an appointment by phoning. (they only answer the phone seven hours a week). Liz nearly exploded, and then she got the good cop treatment. A pleasant woman got on and told her the Minister didn't give reasons for refusal. There had been a court case to determine his right to withhold information. She tried the Ombudsman's office, but he is prevented by law from investigating visa cases. She phoned the International Refugee Council who told her she is only one of many families and friends kept in the dark by the Department, and kept apart. Grandparents are unable to visit their grandchildren here, or parents in the Philippines can't visit their only child. Filipinos who have lived and married Irish here get hurt and angry. One said "My husband emigrated to the Philippines with no difficulty, but when we came back to live here nobody warned me that my friends couldn't visit me." Welcome to fortress Ireland.

DOES DEPARTMENT OF JUSTICE PUT IRISH JOBS AT RISK ?

In 1997 a £2,000,000 high tech order was placed by a Filipino company at a factory in West Dublin. When a representative of the Filipino firm applied for a visa to come and inspect the factory before the order was finalised a visa was refused. The same happened in the West of Ireland during August '98 with regard to a meat factory.

The wife of a Filipino Intel employee was refused a visa to join her husband on a weeks holiday last March. The husband had come to Ireland for a few weeks to help set up the new Intel plant at Leixslip to produce the pentium two chip. The reason given for refusal was because "she was not leaving the country on the same flight as the husband". (actually she couldn't get a seat on his flight as it was full; but the Department of justice weren't interested in hearing that.)

VISA NATIONALS.

Citizens of certain countries are required to have visas to enter Britain and Ireland. They are called Visa Nationals.

Visas are required for citizens of Indonesia, Thailand and the Philippines, but not by Malaysians, Singaporeans, Japanese or Koreans.

Amazingly there are only about nine countries on the American continent (both north and south) who require visas to enter Ireland. They are Cuba, Haiti, Dominican Republic, Puerto Rico, Surinam, Guiana, Columbia, Peru and Bolivia. Citizens of other large poor countries like Mexico, Brazil, Jamaica and all the central American countries, don't require visas.

RE-ENTRY VISAS.

Before leaving Ireland for a day's shopping in Belfast all Filipino nationals and other visa nationals are required to obtain a reentry visa to get back into Ireland. This requirement is irrespective of whether or not the person concerned has current permission to reside in Ireland. This even applies to Filipino nationals who have been married to Irish nationals for years and have children. The only consolation is that the visa is granted free of charge to those visa nationals married to Irish.

When the same Filipina is travelling to Manila for a holiday and changing planes in London she is required to have a return two way visa for Britain obtainable from the British Embassy for £56 Ir. or one way visa is £41Ir. However the British Embassy don't charge Filipinos married to EC nationals who are travelling to Manila with their spouses. They do charge them if they're travelling alone.

AVOIDING IMMIGRATION IN LONDON.

Normally Filipino residents in Ireland try to avoid London or Belfast due to the unpredictability of immigration officials. They prefer to route through KLM in Amsterdam instead. In practice London immigration usually don't give hassle to arriving Filipinos from Manila who are in possession of Irish visas and an onward ticket to Ireland. We haven't heard of anyone being sent back for the last few years. The transit rules for 1995 (the last ones on our file) are very ambiguous in so far as they state..."Admission is at the discretion of the immigration officer", even if the Filipino has a confirmed booking for an onward flight within 24 hours, and a visa for their destination. Their last sentence contradicts the above where it states..."Passengers should if possible, obtain prior entry clearance before travelling."

The British Embassy in Manila will tell you that a British Visa is not required if you already have an Irish visa, but they won't say this in writing, even in a fax reply to the question.

Securing a visa from any European country is getting to be very difficult for Filipinos. On the other hand Europeans do not need to have a Philippine visa to enter Manila.

THE RIGHT TO TRAVEL IN EUROPE.

For those who missed our last newsletter we mentioned that the APART organisation in Britain - who fought against the primary purpose immigration rule - have one more objective. That is **"we have to win the right to travel together as a family throughout the European Union without the requirement of our Filipina partners having to apply for a visa"**.

One of the requirements for a visa applicant is a letter of invitation from the sponsor which could read as follows:-

I am an Irish citizen, born in Ireland in and have been resident in Ireland all of my life. I have known the applicant foryears and have spend many weeks together with her and her family and arrangements are in hand for her to come to Ireland.

I am in full time employment as awith..(name of employer) in.....name locality in Ireland and she will be resident at my house, the address of which is above.

The house where I live is my own (declare type of situation) . It is (declare a description of the property).

At the moment my....mother etc.live in the house with me. There are no other people resident in the house. It is necessary for me to remain in Ireland to look after members of family/ my employment (explain reasons why the Irish sponsor needs to stay in Ireland if he can't go to the Philippines).

I attach some copy documents regarding the purchase of my house, it's land registry title copy document/ mortgage details. (provide information here about Irish sponsors accommodation arrangements and proof). I also enclose pay slips/ P60 and other documents from my employer confirming my employment. (provide information here about employment/financial status). I will be fully supporting the applicant financially during her stay in Ireland. I have sufficient income to maintain a satisfactory standard of living for myself, members of the household and the applicant and I hold further funds in my name. There will be no necessity for us to rely on public funds. I will ensure she will depart Ireland before the expiration of the time permitted by the Department, and that she will obey the laws of Ireland. I trust that the foregoing is sufficient for your requirements. If you should require further information, I'm sure Miss.....will

be able to furnish you with the details. If you require further information from me, please contact me at the above address.