**How to expand and diversify regularization mechanisms and programs to enhance the protection of the human rights of migrants in irregular situations**

**UNICEF submission to the report of the Special Rapporteur on the Human Rights of Migrants**   
  
15 February 2023

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| 1. Please indicate how can regularization processes facilitate the enjoyment of human rights by migrants as well as their cultural, social and economic integration into the host communities |

UNICEF emphasizes that migrant children – irrespective of what caused or motivated their migration and irrespective of their legal status or nationality – are, first and foremost, children. As children and as migrants, they face serious risks at every stage of the migration process – poverty, discrimination, language barriers, social marginalization, violence, abuse, and exploitation, among others.[[1]](#endnote-1)

**Living without regular migration status exacerbates these risks and leaves migrant children and their families in a legal limbo that affects every dimension of their lives**: **Legally**, it leaves them vulnerable to deportation or detention possibly leading to family separation, in fear of law enforcement and the justice system (and therefore less protected), and more likely to be informally employed – all of which push them into the shadows of society; **physically**, it limits their access to health services and adequate living conditions; **psychologically**, it keeps them in a constant state of worry about immigration enforcement and/or family separation and suspended in uncertainty about the future; and **practically**, it creates barriers to accessing education, employment opportunities, and basics like bank accounts and transportation. In this limbo, a child is not positioned to reach their optimal wellbeing, development, and potential.

The Committee on the Rights of the Child and the Committee on the Rights of Migrant Workers and their Families have recognized the many negative impacts on children’s well-being of having an insecure and precarious migration status[[2]](#endnote-2), including but not limited to:

* The risk of “physical harm, psychological trauma, marginalization, discrimination, xenophobia and sexual and economic exploitation...raids against migration and detention”[[3]](#endnote-3) as well as different forms of violence on irregular migration journeys or in irregular situations in countries of destination[[4]](#endnote-4)
* The risk of being denied access to education, housing, health, recreational activities, participation, protection, social security[[5]](#endnote-5) and justice.
* The risk of family separation[[6]](#endnote-6) (if a family member is deported, removed, or detained)
* The risk of child marriage, violence, trafficking, forced recruitment, exploitation, and child labour, which are exacerbated by lack of birth registration and childhood statelessness. Unregistered children are at particular risk of becoming stateless when born to parents in an irregular migration situation.[[7]](#endnote-7) Stateless children are uniquely vulnerable to poverty, limited access to education, healthcare, and social protection.
* The risk of inadequate living standards, including nutrition, clothing, and housing, which impact children’s physical, mental, spiritual and moral development[[8]](#endnote-8)
* Risks to their physical and mental health, recognizing that children experience stress differently than adults[[9]](#endnote-9)

Thus, there is a direct link between the migration status of children and adolescents and/or their families and the effective guarantee of the four CRC principles of non-discrimination, the best interests of the child, participation, and the right to life, survival, and development. **The protection of a wide range of rights recognized in the CRC and other international conventions can be substantially expanded from a regular migration situation**.[[10]](#endnote-10) The Committees have therefore recommended that States ensure that there are clear and accessible status determination procedures for children to regularize their status on various grounds.[[11]](#endnote-11)

Facilitating access to regular migration status and identity documents for children and adolescents *and* their parents/caretakers is an indispensable means of reducing migrant children’s vulnerability, an essential element of migration policy, and should be a central element of all policies that intend to prevent the risks noted above.[[12]](#endnote-12) The adults responsible for the proper development of children and adolescents should not be overlooked in the design of regularization measures, as their own status has a direct impact on the realization of the rights, wellbeing, and development outcomes of the children in their care[[13]](#endnote-13). Regular migratory status can reduce the barriers and discrimination migrant children and their parents/caregivers face in integrating into society and help facilitate access to essentials such as stable housing, health services, school enrollment, formal employment, bank accounts. Regularization allows children and their families to plan for their futures and contribute to society.

Further, when adults have regular status in States which permit regular family reunification pathways, children can be spared from resorting to dangerous irregular journeys to reunify with their families.

For the specific case of children who are ‘non-returnable’– such as children who may have a failed asylum claim but who cannot/should not be returned to their country of origin based on their best interests or the duration of their stay in the destination country – there is a dire need for durable solutions through regularization pathways to prevent the legal limbo that these children find themselves in. Far too few countries offer such pathways out of this scenario.

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| Responses to Question 2 and 3 have been combined below:  2. Examples of national and regional solutions to legalize the stay for migrants in irregular situations   3. Examples of promising practices, including ad-hoc programs and permanent regularization mechanisms, indicating any specific challenges, with particular attention on how such challenges affect migrant workers, women and girls, children, and other persons/groups. |

While 164 states adopted the GCM, committing to “**build on existing practices to facilitate access for migrants in an irregular status to an individual assessment that may lead to regular status**...**especially in cases where children, youth and families are involved**,**”** only a small portion have taken steps to facilitate access to regular status. Below is a non-exhaustive list (in no particular order):

* The United States’ Deferred Action for Childhood Arrivals Program (DACA) which went into effect in 2012, has provided over 800,000 undocumented immigrant youth who meet eligibility requirements regarding age at arrival, education, and background record, with the ability to reside legally in the U.S. without risk of deportation, to receive a social security number, to continue pursuing education, to work, and to obtain drivers’ licenses.
* Colombia’s 2019 transitory measure “Primera la niñez” to prevent statelessness, granting nationality to children of Venezuelan families born in Colombia as of January 1, 2015, remaining in force until September 2023[[14]](#endnote-14)
* Colombia’s 2021 Statute for Temporary Protection for Venezuelan Migrants[[15]](#endnote-15) offering the possibility of regularization for the more than 1.8 million Venezuelans settled in Colombia (estimated to be 24% children), allowing them to work legally, access the education and health systems, public and private services, and successfully integrate. The Temporary Protection Statute is valid for ten years until 30 May 2031. Promising child-sensitive practices that make this regularization program stand out include: that its design included a specific chapter for children and adolescents; the Colombian Institute for Family Welfare, Ministry of Education and Ministry of Health and Social Protection are involved in coordinating the program alongside the migration authority in cases of children and adolescents; children and adolescents who do not have identity documentation can register; kinship is recognized; children are prioritized in the online pre-registration and biometric registration processes, so they are the first to receive their identity cards.
* Bolivia's 2021 Supreme Decree 4576[[16]](#endnote-16) allowing people with irregular status to regularize for up to 2 years.
* Morocco implemented two exceptional regularizations between 2014-2017. Eligible groups included a) spouses of Moroccan nationals or foreigners in a regular situation; b) foreigners who could prove a professional activity; c) foreigners with five years of continuous residence in Morocco; d) foreigners with serious illnesses; e) foreign women and their children under 18; f) unaccompanied children; g) foreigners who have not been able to prove five years of residence in Morocco but who have a college education or an equivalent.[[17]](#endnote-17)
* Chile's 2017 National Plan of Regularization of Migrant Children in 2017 to regularize migrant children and adolescents in schools and day-care centers, regardless of the immigration status of their parents.[[18]](#endnote-18)
* In Europe, 24 of the 27 EU member states implemented regularization programs or mechanisms between 1996 and 2008, regularizing an estimated 5.5-6 million people.[[19]](#endnote-19)
* Some states have regularization mechanisms for migrant children turning 18. As one example, a 2021 reform to Spain’s *Reglamento de la Ley de Extranjería* has made it easier for unaccompanied children and former unaccompanied children who recently became adults and are younger than 23 to obtain residence and work permits, in recognition that bureaucratic obstacles had been pushing many toward irregularity and exclusion as they transitioned into adulthood.[[20]](#endnote-20) Young people who grew up in Spain with their families but undocumented can obtain residency and regularize their situation as they reach adulthood by applying for renewable 1-year temporary residence permits based on work, social, or parental ties.[[21]](#endnote-21)
* Some States have special options for regular migratory status available for children and young people if they are not eligible for refugee status under the 1951 Geneva Convention or subsidiary protection under Article 3 of the ECHR and Article 15(c) of the Qualification Directive (or its equivalent of Humanitarian Protection in the UK), and all states that have adopted the ECHR must give consideration to granting a residence permit under Article 8 (a right to protection for one’s private and family life). In the UK, a child with at least 7 years of residence will be granted leave to remain if it would be unreasonable for them to return. In Germany, pathways to residence exist for young people, such as the Apprenticeship Deferment Law, which defers removal for young people enrolled in an apprenticeship, and in a provision in the Residence Act which directs that “well-integrated” young people who have been legally dwelling in Germany for at least four years may be granted a residence permit.[[22]](#endnote-22)
* Under the Los Angeles Declaration on Migration & Protection[[23]](#endnote-23), adopted in June 2022 by 20 western hemisphere nations:
  + **Ecuador** issued an executive decree creating a path to a regular migration status and documentation for Venezuelans who entered the country regularly via an official port of entry, but who fell out of status, including unaccompanied or separated children. It intends to expand this process to include all Venezuelans.
  + **Belize** committed to regularize certain Central American and CARICOM migrants
  + **Costa Rica** committed to renew temporary protection for Venezuelans, Nicaraguans, and Cubans.

**Even when programs are in place, migrant children and families often face obstacles to regularizing their status:**

* A lack of reliable information and legal support to navigate procedures.
* Requirements to have identity documentation and statelessness as barriers to accessing regularization pathways or family reunification. Even when rights to services are protected by laws and policies, migrant children and adolescents may face administrative and other obstacles to accessing those services, including the request for identity documents...[[24]](#endnote-24)
* Prohibitive digitized procedures and fees. Regularization procedures should be designed to be accessible and affordable, including fee waiver policies for children and those in need.[[25]](#endnote-25)
* Many regularization mechanisms are only temporary. There is a need for durable solutions so children and families won’t fall back into an irregular status, losing rights once again, and so they can plan their futures with security and certainty.
* In some countries, accompanied children may be denied their right to be heard and treated as a “footnote” to their parents’ files, which means that child-specific or individual reasons for grants of asylum or other regular immigration status may be overlooked.[[26]](#endnote-26)
* Unaccompanied children in care systems may fall into irregular status when they “age out” at 18, starting adulthood undocumented, leading to their possible exclusion, exploitation, and even deportation.
* Residence or work permits which tie regular status to the employer and can therefore easily lead migrant children and parents to become undocumented make them vulnerable to abuses and exploitation and limit their enjoyment of their human rights.

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| 4. Highlight any contribution of migrants, including migrant workers to the economy and society of the host communities |

Regularization benefits not only the people concerned, but also the wider society. When children and families do not have to fear immigration enforcement and are included in society, they are better positioned to thrive and the communities and institutions they are a part of can benefit from their skills, creativity, contributions, and diverse perspectives. People can more comfortably engage with government entities and law enforcement which builds trust and safety, community institutions and associations become more representative, and societies increase their cultural capital. Economies benefit as the formal labor force and its qualifications expand, and States benefit from the collection of taxes, in turn enabling them to offer more and better services.[[27]](#endnote-27)[[28]](#endnote-28) **Regularization turns migration into an opportunity for economic and social development** – helping States and societies achieve the 2030 sustainable development goals.

The decade that the United States’ Deferred Action for Childhood Arrival program (DACA) has been in effect offers a unique look into how regularization can unlock the potential for immigrants to contribute society and the economy. It has enabled young people to have more stability in their lives, to pursue higher education, work formally in higher-wage jobs, start businesses, buy homes. DACA has been credited with positive health impacts, including due to increased health insurance coverage rates, and improved mental health.[[29]](#endnote-29) These positive impacts have been felt not only by DACA-holders, but also their families, including the 300,000 U.S.-born children who have at least one parent with DACA, and the communities they are a part of.[[30]](#endnote-30) It is estimated that DACA holders contribute approximately $42 billion to U.S. GDP each year[[31]](#endnote-31) and that DACA-recipient households pay an estimated $6.2 billion in federal taxes and $3.3 billion in state and local taxes each year.[[32]](#endnote-32) Still, DACA has always been only temporary in nature, requiring renewal every 2 years, and has not given people the certainty and ability to plan for the future that more durable regularization would offer. Moreover, the future of the program is uncertain as it faces legal challenges.

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| 5. Please provide information of concrete initiatives, actions and programs relating to the regularization of migrants in an irregular situation that have been developed, including jointly, by civil society organizations, national human rights institutions, and other stakeholders in your country. Please explain to what extent the work of civil society organizations and other stakeholders is taken into account to inform national policies |

* Bolivia: Since 2021, UNICEF Bolivia and CSO partners have been supporting Venezuelan migrant children and families to navigate regularization paperwork, the issuance of birth certificates and identity cards for babies of Venezuelan parents born in Bolivia, and successfully advocated with migration authorities to reduce the financial obstacles to regularization. An array of services have been made available to Venezuelan children and their families to support their regularization and integration (legal support, health care, educational support and recreational/social activities) through CSOs trained by UNICEF on administrative procedures, safeguards and management of documentation of children, PSEA, and mental health needs. Children from host communities benefited from many of the same services and activities, helping with social cohesion.
* Chile 2017: UNICEF Chile’s work to promote the inclusion and non-discrimination of migrant children was reflected in the implementation of the government’s National Plan of Regularization of Migrant Children through an agreement between the Ministry of the Interior and the Ministry of Education.
* Colombia: The implementation of Colombia’s groundbreaking Temporary Protection Statute in 2021 has required massive efforts to register the eligible population and issue documentation. UNICEF has been conducting information campaigns and workshops to support Venezuelan families to complete their registration. UNICEF advocated to ensure that children aged 0-7 are prioritized to receive ID cards and has offered training and technical assistance to public officials to ensure a successful, child-sensitive rollout of the program. Once regularized, Venezuelans must register in the government’s SISBEN database in order to access social protection mechanisms. UNICEF has been working with Colombia’s National Planning Department, with support from the World Food Program, to build capacity at the local level to get more than 1 million registered in the SISBEN since June 2022.
* Costa Rica 2021: UNICEF worked with national Government agencies and partner NGOs to develop and implement an interinstitutional model to support regularization of migrant students from public education centers, providing over 12,000 migrant families with professional legal guidance to submit their requests. UNICEF also partnered with a local government and NGO to support prevention of GBV and migratory regularization of highly vulnerable migrant women through specialized legal aid and financial subsidies.
* Dominican Republic 2021: In the framework of the UN System’s commitment to support the regularization of the 115,000 Venezuelans living in the Dominican Republic, UNICEF successfully advocated to cut the costs of and requirements for documentation of children and adolescents, which encouraged families to regularize their children’s status. UNICEF worked with Venezuelan community social organizations to identify children and refer them to education and protection services and implement information campaigns about regularizing their status.
* Peru 2020: UNICEF’s joint advocacy with IOM and UNHCR on migration resulted in the approval of a supreme decree on regularization, potentially benefitting 700,000 migrants.
* Spain 2021: UNICEF Spain working with the Ombudsperson and a coalition of CSOs helped secure the passage of the reform of the *Reglamento de la Ley de Extranjería* to benefit 15,000 unaccompanied children and young migrants aging out of the child protection system. It facilitates access to residence and work permits to combat marginalization.

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| 6. Please provide information on **any specific or additional legislative and policy measures as well as challenges in the context of the COVID-19 pandemic in the implementation of regularization programs** |

The COVID-19 pandemic revealed that communities are only as healthy and shock-resistant as their most marginalized populations. Several Human Rights bodies made declarations calling for States to regularize undocumented migrants during the pandemic, particularly children and their families (see Annex). Extraordinary migratory regularization initiatives were implemented by some governments[[33]](#endnote-33) to ensure the greatest possible impact of health and socio-economic measures.

The regularization measures taken during the pandemic have shown us what is possible when there is political will, a sense of urgency, and a commitment to the common good. Their impacts – as buffers against rights violations, socio-economic shocks, and related challenges[[34]](#endnote-34) – and myriad of benefits to individuals and wider societies make the case for why regularization should not be taken out of the toolbox only during emergencies but rather become a standard part of migration and social policy that is designed to fit today's global reality.

ANNEX



1. Verena Knaus et al, ‘[Silent Harm – A report assessing the situation of repatriated children’s psycho-social health](https://www.unicef.nl/media/2153668/7._rapport_silent_harm_unicef.pdf),’ UNICEF Kosovo in cooperation with Kosovo Health Foundation, 2012, p. 12. [↑](#endnote-ref-1)
2. Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, paragraph 18. [↑](#endnote-ref-2)
3. Committee on the Rights of the Child, General Comment No. 20 (2016) on the Effectiveness of Children’s Rights during Adolescence, para 76. [↑](#endnote-ref-3)
4. Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, paragraph 39. [↑](#endnote-ref-4)
5. Committee on the Rights of the Child, General Comment No. 20 (2016) on the Effectiveness of Children’s Rights during Adolescence, para 76. [↑](#endnote-ref-5)
6. Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, para 27. [↑](#endnote-ref-6)
7. Ibid, para 20. [↑](#endnote-ref-7)
8. Ibid, para 49. [↑](#endnote-ref-8)
9. Ibid, para 54. [↑](#endnote-ref-9)
10. Including, but not limited to, the following rights guaranteed under the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families:

    Legal obligations of States parties to protect the rights of children in the context of international migration in their territory

    Right to liberty (articles 16 and 17 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; article 37 of the Convention on the Rights of the Child)

    Due process guarantees and access to justice (articles 16, 17 and 18 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 12 and 40 of the Convention on the Rights of the Child)

    Right to a name, identity, and a nationality (article 29 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 7 and 8 of the Convention on the Rights of the Child)

    Family life (articles 14, 17 and 44 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 9, 10, 11, 16, 18, 19, 20 and 27 (4) of the Convention on the Rights of the Child)

    Protection from all forms of violence and abuse, including exploitation, child labour and abduction, and sale or traffic in children (articles 11 and 27 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 19, 26, 32, 34, 35 and 36 of the Convention on the Rights of the Child)

    Right to protection from economic exploitation, including underage and hazardous work, employment conditions and social security (articles 25, 27, 52, 53, 54 and 55 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 26 and 32 of the Convention on the Rights of the Child)

    Right to an adequate standard of living (article 45 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; article 27 of the Convention on the Rights of the Child)

    Right to health (articles 28 and 45 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 23, 24 and 39 of the Convention on the Rights of the Child)

    Right to education and professional training (articles 30, 43 and 45 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; articles 28, 29, 30 and 31 of the Convention on the Rights of the Child)

    See also UNICEF Technical Note, [’Migratory regularization as an essential condition for the comprehensive protection of the rights of children in the context of human mobility](https://www.unicef.org/documents/migratory-regularization-essential-condition-comprehensive-protection-rights-children).’ [↑](#endnote-ref-10)
11. Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, para 18. [↑](#endnote-ref-11)
12. UNICEF, Technical Note, [’Migratory regularization as an essential condition for the comprehensive protection of the rights of children in the context of human mobility](https://www.unicef.org/documents/migratory-regularization-essential-condition-comprehensive-protection-rights-children).’ [↑](#endnote-ref-12)
13. Ibid. [↑](#endnote-ref-13)
14. UNICEF, ‘[UNICEF welcomes Government of Colombia decision to prevent statelessness for thousands of children born in Colombia to Venezuelan parents](https://www.unicef.org/press-releases/unicef-welcomes-government-colombia-decision-prevent-statelessness-thousands).’ [↑](#endnote-ref-14)
15. UNICEF, ‘Temporary Protection Statute for Venezuelan Migrants (EPTV) with a focus on children and adolescents.’ [↑](#endnote-ref-15)
16. Inter-American Commission on Human Rights, ‘[Annual Report 2021, Chapter IV.a Human Rights Development in the Region](https://www.oas.org/en/iachr/docs/annual/2021/Chapters/IA2021cap4A-en.pdf)’ [↑](#endnote-ref-16)
17. OHCHR and DLA, ‘[Admission and stay based on human rights and humanitarian grounds: A mapping of national practice](https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/OHCHR_DLA_Piper_Study.pdf),’ Dec 2018 [↑](#endnote-ref-17)
18. UNICEF, ‘[Child Protection Advocacy Brief: Children on the Move](https://www.unicef.org/media/110831/file/Children%20on%20the%20Move_FINAL.pdf)’, 2018 [↑](#endnote-ref-18)
19. PICUM, ‘[Regularisation mechanisms and programmes: Why they matter and how to design them](https://picum.org/wp-content/uploads/2023/01/Regularisation-mechanisms-and-programmes_Why-they-matter-and-how-to-design-them_EN.pdf),’ 2022; International Centre for Migration Policy Development, ‘[REGINE: Regularisations in Europe – Study on practices in the rea of regularization of illegally staying third-country nationals in the Member States of the European Union](https://www.icmpd.org/file/download/54301/file/REGINE%2520Regularisations%2520in%2520Europe%2520-%2520Policy%2520Brief.pdf),’ Feb 2009; [↑](#endnote-ref-19)
20. European Commission, European Website on Integration, ‘[Spain: New regulation for unaccompanied foreign minors](https://ec.europa.eu/migrant-integration/ec.europa.eu/migrant-integration/index.cfm%3Faction%3Dmain.preview%26uuid%3D51A67CF7-9619-3DE5-0C782168C2318EE4_en)’ [↑](#endnote-ref-20)
21. PICUM, ‘[Turning 18 and Undocumented: Supporting Children in their Transition into Adulthood](https://picum.org/wp-content/uploads/2022/04/Turning-18-and-undocumented_EN.pdf)’, 2022 [↑](#endnote-ref-21)
22. UNICEF, ‘[Child-Sensitive Return: Upholding the best interests of migrant and refugee children in return and reintegration decisions and processes in selected European countries (Germany, the Netherlands, Sweden, and the United Kingdom), A Comparative Analysis](https://www.unicef.nl/files/UNICEF%20FINAL%20edited%20comparative%20report-return%20and%20reintegration.pdf),’ Nov 2019 [↑](#endnote-ref-22)
23. The White House, ‘[Fact Sheet: The Los Angeles Declaration on Migration and Protection U.S. Government and Foreign Partner Deliverables](https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/10/fact-sheet-the-los-angeles-declaration-on-migration-and-protection-u-s-government-and-foreign-partner-deliverables/)’ [↑](#endnote-ref-23)
24. Ibid. [↑](#endnote-ref-24)
25. PICUM, ‘[Regularisation mechanisms and programmes: Why they matter and how to design them](https://picum.org/wp-content/uploads/2023/01/Regularisation-mechanisms-and-programmes_Why-they-matter-and-how-to-design-them_EN.pdf),’ 2022 [↑](#endnote-ref-25)
26. UNICEF, ‘[Child-Sensitive Return: Upholding the best interests of migrant and refugee children in return and reintegration decisions and processes in selected European countries (Germany, the Netherlands, Sweden, and the United Kingdom), A Comparative Analysis](https://www.unicef.nl/files/UNICEF%20FINAL%20edited%20comparative%20report-return%20and%20reintegration.pdf),’ Nov 2019 [↑](#endnote-ref-26)
27. PICUM, ‘[Regularisation mechanisms and programmes: Why they matter and how to design them](https://picum.org/wp-content/uploads/2023/01/Regularisation-mechanisms-and-programmes_Why-they-matter-and-how-to-design-them_EN.pdf),’ 2022 [↑](#endnote-ref-27)
28. UNICEF, ’Temporary Protection Statute for Venezuelan Migrants (ETPV) with a focus on children and adolescents’ [↑](#endnote-ref-28)
29. Migration Policy Institute, ‘[At its 10th Anniversary, DACA Faces a Tenuous Future Despite Societal Benefits](https://www.migrationpolicy.org/article/daca-10th-anniversary),’ June 2022 [↑](#endnote-ref-29)
30. Center for American Progress, ‘[The Demographic and Economic Impacts of DACA Recipients: Fall 2021 Edition](https://www.americanprogress.org/article/the-demographic-and-economic-impacts-of-daca-recipients-fall-2021-edition/),’ Nov 2021 [↑](#endnote-ref-30)
31. Migration Policy Institute, ‘[At its 10th Anniversary, DACA Faces a Tenuous Future Despite Societal Benefits](https://www.migrationpolicy.org/article/daca-10th-anniversary),’ June 2022 [↑](#endnote-ref-31)
32. Center for American Progress, ‘[The Demographic and Economic Impacts of DACA Recipients: Fall 2021 Edition](https://www.americanprogress.org/article/the-demographic-and-economic-impacts-of-daca-recipients-fall-2021-edition/),’ Nov 2021 [↑](#endnote-ref-32)
33. Some examples of regularization measures taken during COVID-19 are listed below (non-exhaustive list):

    In Portugal in 2020, more than 356,000 immigrants – including young people and children on the move and their families – who had already filed requests for residence or asylum at the were provisionally regularized under two decrees published in the first months of the COVID-19 outbreak. Provisional regularization allowed people to access the national healthcare system and other public services, social support measures, housing, formal employment, and bank accounts.

    In Azerbaijan, people whose asylum claims were refused prior to COVID-19 were granted temporary suspension of the requirement to return, not been detained and have been issued with temporary residence permits. Others on temporary visas who had been unable to return to their countries of origin were granted automatic extensions of stay, irrespective of their visa category, without need for additional documentation.

    In Canada, during the pandemic, people with refused asylum claims became eligible to apply for permanent residency if they had been working in the health-care sector. Migrants who fell out of status during the pandemic were granted an extension beyond the standard 90-day period to seek to regularize their status, and granted permission to work during the application period. Processing of urgent protection claims from victims of trafficking and family violence were expedited.

    For more on these and other examples see:

    * UN Network on Migration, [Temporary Regularisation Programmes Snapshot](https://migrationnetwork.un.org/system/files/resources_files/ATD_Temporary%20regularisation%20programmes.pdf)
    * UN Network on Migration, Policy Brief: ‘[COVID-19 and Immigration Detention: What Can Governments and Other Stakeholders Do?](https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/un_network_on_migration_wg_atd_policy_brief_covid-19_and_immigration_detention.pdf)’ and accompanying Annex
    * UN Network on Migration, Guidance Note: ‘[Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability](https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/guidance_note-_regular_pathways_for_admission_and_stay_for_migrants_in_situations_of_vulnerabilty_final.pdf),’ July 2021

    [↑](#endnote-ref-33)
34. PICUM, ‘[Regularisation mechanisms and programmes: Why they matter and how to design them](https://picum.org/wp-content/uploads/2023/01/Regularisation-mechanisms-and-programmes_Why-they-matter-and-how-to-design-them_EN.pdf),’ 2022 [↑](#endnote-ref-34)