What is Regularization?

Regularization is defined as any process or programme by which the authorities of a State allow non-nationals in an irregular situation to stay lawfully in the country, by granting them a regular status. (IOM Glossary, 2019)

The Global Compact for Migration calls upon States to “build on existing practices to facilitate access for migrants in an irregular status to an individual assessment that may lead to regular status, on a case by case basis and with clear and transparent criteria, especially in cases where children, youth and families are involved, as an option to reduce vulnerabilities…”

The benefits of regularizations include:

⇒ The stabilization of a migrant’s status within a country;
⇒ Decreases the likelihood of migrant exploitation;
⇒ Increases tax and social security revenues for the State;
⇒ Improves the availability of more accurate data on labour market and irregular migration;
⇒ Weakens the underground economy.

New research & analysis on regularization & COVID

COVID-19 and rethinking the need for legal pathways to mobility: Taking human security seriously by Luisa Feline Freier

Regularizing Migrant Workers in Response to COVID-19 by Gonzala Fanjul & Helen Dempster

Legalisation of undocumented immigrants in the USA by Nieblas Bedolla

The Corona Virus and Migration Governance in South Africa: Business As Usual? Zanker & Moyo

Towards an EU Toolbox for Migrant Workers: Labour Mobility and Regularisation in Germany, Italy, and Spain in 2020 by Open Society Foundations


“The regularization of Venezuelan refugees and migrants in Colombia through the provision of a generous temporary protection status is a key to facilitating their socio-economic integration and access to the national health system and COVID-19 vaccination campaigns. The Government of Colombia has once again shown both great solidarity and leadership. Its decision serves as an example to the world.”

IOM Director General António Vitorino.
Lessons from past regularizations

Over the years, several countries have conducted regularizations of undocumented migrants with a view to address issues related to irregularity. Some countries, such as Morocco have relied on a series of programs to tackle issues arising from irregularity, while others such as Spain and Italy have used a mixture of programs and mechanism to address labor migration governance. Regularizations also happen at a local and regional level, such as Geneva’s Operation Papyrus or France’s policy of decision-making at prefectoral level. Learning from the successes and failures of these practices is key to improve policy design and implementation. Ensuring wide accessibility and outreach to the concerned populations is central to surmount some of the challenges identified and overcome apprehensions from irregular migrants.

Recent trends in regularization

The Covid-19 pandemic resulted in some countries taking exceptional measures to respond to the heightened needs of irregular migrants. Early in 2020, Portugal acted quickly by temporarily regularizing the status of all migrants. This was followed last summer by Italy who implemented a targeted regularization for migrant workers in key sectors of the economy. In February 2021, Colombia announced that it will regularize more that 1.7 million Venezuelans in its territory. The decision was welcomed by the UN Secretary General and other humanitarian organizations. Other countries which introduced regularizations as a response to Covid-19 include: the Dominican Republic, Malaysia and Thailand.

Irregularity and Covid-19

Undocumented migrants are one of the most marginalized communities, and the health crisis has exacerbated pre-existing vulnerabilities. While many countries and cities have responded to their immediate needs, more needs to be done to bring them into social protection systems. One key area of concern is their inclusion in vaccination programs as they are often at heightened risk of COVID-19.

Future prospects

In June 2020, the new Irish Government committed to introducing a regularization scheme within eighteen months of its formation. Elsewhere, the new US Administration is sending a new bill to Congress which some experts estimated that could regularize up to 11 million undocumented migrants. Among the countries that will consider calls for introducing regularizations in 2021 are South Africa, Brazil and Chile.

A migrants’ perspective

“With the documents, I can get my family here without risking their life. I have always opposed letting them do the same journey that I did from Ghana”.

24-year-old man from Ghana, in Italy since 2013

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