Building back better: Improving access to rights for vulnerable migrants is key to lasting resilience

As States being to prepare for the aftermath of the pandemic, while still battling resurgence, concerns grow over migrant communities being left behind, in particular those most at risk of exploitation and in need of protection.

“In a context of a continuing global health crisis that also has a severe impact on the governance of migratory movements, we must remind States to treat all migrants with dignity and provide them with equal access to services, benefits, information, and assistance.”

- UN and Regional Experts Felipe González Morales, Can Ünver, Siobhán Mullaly, Julissa Mantilla Falcón and Sahli Fadel Maya
- Click here for the press briefing note.

Regularization

Falling into irregularity exposes migrants to vulnerability and precarious life conditions. As a result of the pandemic, at least ten European countries introduced measures to maintain or extend legal status. Elsewhere, at least five countries in Asia and three in Africa, have done the same.

Governments of Italy and Thailand have introduced large-scale regularizations for undocumented workers which could benefit up to 220,000 and 800,000 migrants respectively. Regularization is a key means to reduce the exploitation of migrants in irregular situations and to guarantee access to vital health services during the Covid-19 pandemic. Other countries considering similar measures include Ireland where a commitment to regularizing undocumented migrants was introduced in the latest Programme for Government and South Africa where an extension of the Documentation of Zimbabweans Project (DZP) is to be decided this year.

New research and analysis on COVID-19 and irregularity, smuggling and protection

Migrants with irregular status during the COVID-19 pandemic: Lessons for local authorities by Maria Mallet-Garcia and Nicola Delvino

Assessing the impact of Covid-19 on the EU’s response to irregular migration by Nadia Petroni

Stranded: The Impacts of COVID-19 on Irregular Migration and Migrant Smuggling by Gabriella Sanchez and Luigi Achilli

Protection of forced migrants with irregular status during the pandemic generated by Covid-19: An analysis of the Inter-American Court of Human Rights on Migrants’ Rights by Eveline Viera Brigido and Fabiola Wust Zibetti

Moving Beyond Pandemic: Human Smuggling in an Age of Pandemic Audio interview with Matt Herbert

How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America by UNODC Research
**Alarming Trends**

Since the start of the Covid-10 pandemic there were several reports from Asia and Europe of migrants being stranded, at risk to their lives, resulting from States failing to respond to situations of distress, including when adrift at sea. Elsewhere, in Africa and North America, summary returns, excessively lengthy border procedures and inability to access protection led to precarious and dangerous conditions and even deaths.

Recently, IOM has expressed concern over reports of pushbacks at the EU border with Turkey, and has called on Greek authorities to investigate these allegations, which according to the Council of Europe may result in migrants being at risk of inhuman and degrading treatment. UN agencies and humanitarian organizations have also alerted to the deteriorating situation at the location of the former Lipa Camp in Bosnia and Herzegovina, were stranded migrants’ lives are at immediate risk due to a lack of adequate shelter solutions.

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**Accessing International Protection**

States have an obligation to protect public health and to let asylum-seekers access international protection procedures. Many states have managed to strike the balance through screening and quarantine measures. Nonetheless, currently 64 countries impose restrictions in access to their territory, which may adversely impact on the right to seek asylum.

During the first wave of the pandemic, many countries halted procedures, including reception, registration and documentation. Over the past months, practices have significantly improved, and 111 countries have been able to maintain their asylum procedures fully or partially operational despite second and third waves.

Source: UNHCR COVID-19 Platform – Temporary Measures and Impact on Protection

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**Access to healthcare and vaccinations**

In response to the pandemic, a number of countries and local authorities have extended partial or full healthcare coverage to undocumented migrants. Examples at a national level include Ireland and Portugal, and at a regional or local level: Ontario, California, Gdansk and Milan.

IOM has urged governments to include all migrants, irrespective of legal status in their vaccination plans, and the WHO has called for their inclusion in prioritization roadmaps. Concerns have been raised about barriers in accessing vaccines for undocumented migrants in the USA, Colombia and in Europe.

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Uninsured rates among the non-elderly population by Immigration status in the USA, 2019

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>Citizens</td>
<td>9%</td>
</tr>
<tr>
<td>Lawfully Present Immigrants</td>
<td>25%</td>
</tr>
<tr>
<td>Undocumented Immigrants</td>
<td>46%</td>
</tr>
</tbody>
</table>

Source: Immigrant Access to COVID-19 Vaccines: Key Issues to Consider