COVID-19 EMERGING IMMIGRATION, CONSULAR AND VISA NEEDS AND RECOMMENDATIONS

BRIEF II – MANAGING LIMITED MOBILITY PATHWAYS

This Brief presents the most recent findings from the ongoing Identification and Monitoring of Emerging Immigration, Consular and Visa Needs initiative launched as part of the IOM COVID-19 Response.

The first edition of the Brief, including immigration, consular and visa related recommendations to Member States can be found here: BRIEF I

Travel restrictions and border closures implemented by Member States in response to the COVID-19 pandemic, have led to widespread mobility challenges. As a result, a significant number of migrants remain stranded and face difficulties while capacity gaps continue to impact Member States and their provision of immigration support and consular assistance amidst the ongoing crisis.

The latest findings demonstrate a shift from the immediate immigration-related responses to the containment measures implemented by Member States, developed in Brief I, to the ongoing management of limited mobility pathways during the crisis.

KEY FINDINGS

Identified Trends

Mobility Corridors

Since the initial responses by Member States to the reduction in global mobility resulting from COVID-19, the development and implementation of new and innovative mobility pathways in the current context appears as one of the ongoing priorities for several governments. In particular, "mobility corridors" are being discussed at the bilateral and regional level to allow continuous transit between countries. While the implementation of such mechanisms is still nascent in a number of countries around the world, the emerging mobility corridors being discussed are portrayed as medium to long-term solutions, as opposed to emergency responses. At the outset of the pandemic, corridors that included air bridges and charter flights were used to facilitate the return of stranded migrants. As new mobility "bubbles" become formalized and operationalized as part of recovery measures, specific immigration procedures along with requirements and documentation for migrants will be needed. These corridors reflect the ongoing adaptation of national immigration practices and offer a glimpse into a transformed, *ad hoc,* global mobility system.

> **Government approaches - Selected examples:**
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> - Australia and New Zealand have announced plans for the introduction of a trans-Tasman COVID-safe Travel Zone. Widely reported in the media as a "travel bubble", this would allow quarantine-free passage between the two countries once lockdowns end.[1] In terms of the scale of the proposed mobility corridor, there are currently more than half a million New Zealanders living in Australia and 75,000 Australians living in New Zealand. There have also been discussions to include other Pacific island countries at a later stage.
> - Hungary opened "humanitarian corridors" for citizens of Bulgaria, Romania, Ukraine and Moldova transiting through the country to cross over from Austria at the Nickelsdorf border crossing. These daily corridors are opened every night between 9pm and 5am.[2]

Merging of Immigration and Public Health Imperatives

COVID-19 is expected to have a long-lasting and multi-dimensional impact on mobility systems. As Member States adjust their immigration practices to accommodate new processes and controls on mobility, the early stages of a growing integration between public health imperatives and immigration systems during and post-pandemic has been identified as one of the key potential developments for the enhanced management of migration. At the national level, this integration can be expected to take the form of heightened coordination in the way immigration processes contribute to maintaining public health standards, through interdepartmental cooperation, amongst other initiatives. While health assessments were a common feature of visa application processes and pre-departure procedures before the pandemic, additional measures to combine immigration and health-related checks to reopening mobility in the recovery period through enhanced visa-related processing procedures are already being discussed. These may include developments in the integration of pre-departure health checks with case management systems, the inclusion of digital vaccination cards as a visa requirement, or potentially linking health information to Advance Passenger Information and Passenger Name Record (API/PNR) systems or with online pre-entry platforms (e.g. ESTA, ETIAS), amongst others.

> **Government approaches - Selected examples:**
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> - All travellers planning to enter Singapore must first submit an e-health declaration before going through immigration clearance. This e-health card can be filled via a mobile app. This new module has been integrated to the country's border management system and is shared with health authorities, allowing them to check travellers' health status upon entrance and to monitor travellers post arrival.

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[1] Prime Ministers Jacinda Ardern and Scott Morrison announce plans for trans-Tasman COVID-safe Travel Zone https://www.beehive.govt.nz/release/prime-ministers-jacinda-ardern-and-scott-morrison-announce-plans-trans-tasman-covid-safe, Official website of the New Zealand government, 05.05.2020

[2] Coronavirus – Travel Information, https://www.oeamtc.at/thema/reiseplanung/coronavirus-reiseinfos-36904404#nachbarlaender-36987168%20https://burgenland.orf.at/stories/3039995/, OAMTC, Accessed 08.05.2020

- Chile is one of the first countries to move ahead with the implementation of a "release card" for patients having recovered from coronavirus, freeing them from all types of quarantine or restriction in the country. Despite WHO warnings against "immunity passports" and "risk-free certificates", Chilean authorities have decided to grant medical discharge documents that would allow former patients to move around the country freely, while noting that certificates do not corroborate immunity.[3]

The case of "immunity passports"

A number of countries are discussing the possibility of issuing COVID-19 medical certificates, or so-called "immunity passports".[4] Based on currently available antibody testing, these suggested measures serve to highlight the likely increased links between immigration procedures and public health imperatives in the COVID-19 recovery phase. The latest guidance on this topic from WHO concludes that there is currently insufficient scientific evidence to guarantee the effectiveness or suitability of these testing procedures, therefore any steps towards the implementation of some form of an "immunity passport" will need to consider further scientific evidence, as it becomes available.[5] Nonetheless, these growing discussions from countries reflect a heightened recognition of the interdependence between immigration procedures and public health considerations[6], with measures that may be directly integrated into travel and visa requirements before, during and after travel, as well as at points of entry, becoming an essential key component of all future regular migration schemes.[7]

Flexible Visa Schemes

- Seasonal Permits

Growing and potential seasonal labor shortages have been identified as a key issue of concern for many governments, mainly throughout North America and in Western Europe. Widespread travel and visa disruptions have prevented the usual influx of temporary seasonal workers, of particular concern in the agricultural sector. Measures have been put in place to try to avoid widespread labor shortages, including charter flights arranged by governments and certain agricultural producers for seasonal workers from abroad. Permit extensions and the introduction of new visa options allowing migrants to transfer from one type of visa to another have also been implemented to regularize workers within short timeframes as a response to such labor gaps. This trend highlights the need of some governments for assistance in developing enhanced pathways for regular mobility, with a focus on adjustments to existing seasonal immigration schemes along with support for their implementation.

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[3] Chile to push ahead with coronavirus "release certificates" despite WHO warning, https://www.reuters.com/article/us-health-coronavirus-chile/chile-to-push-ahead-with-coronavirus-release-certificates-despite-who-warning-idUSKCN2280NW, Reuters, 26.04.2020

[4] Several countries want to introduce "immunity passport", https://www.svt.se/nyheter/utrikes/landerna-som-vill-infora-immunitets-pass, SVT, 25.04.2020

[5] "Immunity passports" in the context of COVID-19, https://www.who.int/news-room/commentaries/detail/immunity-passports-in-the-context-of-covid-19 , World Health Organization, 24.04.2020

[6] International Health Regulations – Third Edition, https://www.who.int/ihr/publications/9789241580496/en/, WHO, 2016

[7] Migration Health - Health Assessment Programmes, https://www.iom.int/sites/default/files/our_work/DMM/Migration-Health/mhd_infosheet_health_assessment_programmes_17.05.2018.pdf, IOM, 17.05.2018

Government approaches - Selected examples:

- The United Kingdom and Italy have made exemptions to border closure measures by authorizing charter flights to facilitate the entry of temporary foreign agricultural workers from Eastern Europe, with mandatory placement in 14-day quarantine.

- Canada has allowed entry to foreign seasonal workers, pending enhanced medical screening protocols checks and mandatory placement in 14-day quarantine.

- Participants in the Seasonal Worker Programme in Australia are now able to extend their stay for an additional 12 months to work for pre-approved employers in the agricultural sector.

- Poland has recently authorized foreign seasonal workers to extend their work permits.

Limited mobility in the current crisis presents unique vulnerability challenges and highlights the need for enhanced immigration related assistance.

Germany recently approved the arrival of EU citizens, mostly from Romania, into the country to assist with agricultural activities during the pandemic. Estimates suggest around 80,000 Romanian workers will enter Germany between April and May, remaining in the country for up to 115 days on special seasonal work contracts. Recent media reports suggest that some of these newly arrived foreign workers claim to be facing issues with their employers, including lower wages and non-adherence to contractual conditions, with some apparently wanting but being unable to travel back to their country of origin.[8]

- Healthcare and Essential Worker Permits

As the COVID-19 crisis accentuates in some countries, healthcare and other essential workers (including those in the food production and distribution sector, delivery workers, waste collectors, and seasonal laborers in the agricultural sector), are being significantly affected, taking a heavy toll on crucial elements of national response systems. Many governments rely on these essential workers to manage and help contain the pandemic and have applied ad-hoc solutions to their immigration systems to accommodate the acute need for their support. Several Member States continue to adjust their visa requirements to enable foreign medical professionals present in their country to participate in the pandemic response. Such adjustments include expedited access to work for foreign graduates without full degree equivalence, the waiver of language requirements to work in the medical field and facilitated procedures to extend medical programmes. Some Member States are also revising their immigration schemes to facilitate the rapid arrival of foreign medical workers. In light of these developments, one of the key needs that has been identified is centred around support with fast-tracking immigration and permit procedures to facilitate the work of healthcare professionals and other essential personnel in response to the pandemic.

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[8] Concerns raised over seasonal workers conditions in Germany https://www.euractiv.com/section/agriculture-food/short_news/concerns-raised-over-seasonal-workers-conditions-in-germany/, Euractiv, 22.04.2020

> **Government approaches - Selected examples:**
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> - In Canada, the province of Ontario has issued a call for healthcare professionals, including foreign-educated medical professionals, to participate in the COVID-19 response, and has developed a tool to match them with employers.
> - Brazil has specially authorized Cuban doctors residing in the country to join the national medical response efforts.
> - Peru is recruiting foreign healthcare professionals for their COVID-19 response force and has set up an online platform to register them.
> - In Australia, holders of the Working Holiday Maker visa type will be exempt from work limitations and have their visas extended if they are employed in the healthcare sector, amongst other priority sectors.

Identified Immigration, Consular and Visa Needs

Expansion of Consular Support

The provision of robust consular assistance, through remote channels whenever feasible, is essential to assist stranded migrants and prevent immigration systems from becoming overwhelmed as a result of the pandemic. Consular support generally includes citizen services such as registration, issuance and extension of travel documents, legalization of documents, funding for emergency transfers, birth and death registration and repatriation, amongst others. Many migrants currently find themselves in locations where their country of origin has limited or no consular presence, requiring them to undertake often costly and sometimes unsafe journeys to access such services, which may lead to situations of increased vulnerability. In the current context, this has been exacerbated by border closures and travel restrictions. Furthermore, a lack of consular support capacity has also been observed, as migrants relying on assistance for information, returns and regularization have been unable to access such services. As a result, additional resources and technical support for more effective consular support appears as a generalized need for both migrants and Member States.

Management of Visa and Permit Backlogs and Related Technical Support

Regular visa processing activities have been suspended across the world, in alignment with border closures and travel restrictions. As several governments have implemented visa extensions and facilitated renewals to prevent widespread irregularity as permits expire and migrants become unable to meet visa deadlines and requirements, including renewals. While flexible solutions have been implemented through adjustments in immigration regulations, many countries are facing challenges with the large-scale technical capacities needed to process extensions and renewals to effectively implement these measures, including efficient case management systems and online platforms for migrants, amongst other tools. Related to these capacity gaps is the concern with backlogs in visa and residency-related processing. Indeed, mobility restrictions have prevented migrants from reaching their countries of destination and with the re-opening of borders, this backlog of applications will need to be addressed in a timely manner. As a result, assistance for the management of these backlogs and supplementary technical support have been identified as key areas where governments may require additional support.

KEY FINDINGS FROM BRIEF I

Immigration, consular and visa needs identified in Brief I:

- Increased flexibility related to visa requirements to enhance mobility

- Provision of timely and accurate information to migrants related to immigration and visa adjustments in relation to the pandemic

- Expanded processing resources and capacity

Through this initiative, IOM has formulated the following recommendations for Member States regarding immigration, consular and visa procedures:

- **Facilitation of immigration and visa procedures for healthcare workers** and essential personnel responding to the pandemic and people with priority travel needs.

- **Expansion of remote consular support** to ensure the continuation of seasonal or temporary work programmes while anticipating possible backlogs for immigration agencies resulting from a surge of employment-based requests, once mobility restrictions are lifted.

- **Adaptation of regulations** to uphold legal frameworks and incorporate the necessary adjustments for migrants to stay in compliance with immigration rules. These regulations require adjusted submission and processing procedures, addressing the difficulties for submitting visa and permit applications and renewals.

- **Rethinking of existing immigration processes and programmes** for these to fully integrate public health imperatives while incorporating technological innovations.

Watch the related video HERE.

For additional information on this Brief please contact: immigrationandvisas@iom.int

IOM Issue Briefs about Seasonal Workers and Stranded Migrants are available at: https://www.iom.int/Issuebriefs

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