

Temporary regularisation programmes

"We further commit to ensure...that migrants are issued adequate documentation...as a means to empower migrants to effectively exercise their human rights."

"We commit to adapt options and pathways for regular migration in a manner that...responds to the needs of migrants in a situation of vulnerability..."

"We...commit to prioritize non-custodial alternatives to detention that are in line with international law."

Global Compact for Migration, Objectives 4, 5 and 13



EXAMPLES



Colombia

When the number of Venezuelan refugees and migrants arriving in Colombia increased rapidly and significantly (to at least 1.7 million, nearly 1 million of whom were without regular migration status, by 31 January 2021), the Government of Colombia did not respond with an enforcement regime utilising detention, but instead responded by offering a temporary regularisation programme that grants regular status, work permits, and access to basic services for up to ten years. In the lead-up to this programme, the Government of Colombia had taken a number of preliminary steps, such as spousal visas, accepting Venezuelan passports for 2 years after they expired, border mobility permits, transit permits, and special residence permits for people whose visas had expired. The 10-year temporary protection status reduces migrants' vulnerability to exploitation, enables the authorities to know who is present on the territory, and creates opportunities for Venezuelan migrants to contribute economically and socially to their host communities. Colombia does not use immigration detention.

"Don Óscar Soto, you are the first person in this country to receive the 10-year Temporary Protection Card, so that you can be visible, so that you can exercise your rights, and so that Colombia receives you with open arms."

Colombian President Iván Duque on presenting the 1st temporary protection card to a Venezuelan migrant, October 2021

Portugal

With the COVID-19 pandemic stalling bureaucratic processes, the Government of Portugal recognised the need to safeguard the rights of people who had started a regularisation process (those who had filed requests for residence or asylum at the Foreigners and Borders Office), and of people with a residence permit that would expire during the lockdowns. More than 356 000 immigrants -in Portugal were provisionally regularised in 2020, under two decrees published following the COVID-19 outbreak. This temporary provisional regularisation treats those eligible as if they have a valid residence permit and thereby enables their access to the national healthcare system and to social support measures, to enter into housing rental contracts and employment contracts, to open bank accounts and to contract essential public services. The measures are temporary and do not result in automatic asylum or regularisation. These measures have removed the risk of arrest and detention on the grounds of irregular status/pre-removal detention for those eligible for this temporary provisional regularisation.

This "promising practices series" highlights practices that show positive movement towards achieving GCM Objective 13. The inclusion of an example does not signify that all elements of the practice of the country are considered positive and that its practical implementation is flawless.

