COVID-19 IMMIGRATION, CONSULAR AND VISA NEEDS AND RECOMMENDATIONS

BRIEF IV – A SECOND YEAR OF CHALLENGES FOR GLOBAL MOBILITY

> This Brief presents the most recent findings from the IOM initiative to identify immigration, consular and visa needs as part of its COVID-19 Response. Previous Immigration and Border Management (IBM) Issue Briefs, including a set of high-level recommendations for the coordinated reopening of immigration procedures, can be found here: IOM Issue Briefs.

Since the onset of the pandemic, many countries have **replaced blanket travel bans for health-related requirements and adapted travel conditions,** such as mandatory quarantines and pre-travel or post-arrival tests. This has allowed for some resumption of cross-border human mobility, a key element of recovery. However, the early days of 2021 are being characterized by prevailing instability, with many countries currently facing a second or third wave of the pandemic, and new COVID-19 variants which have led to adapted travel restrictions and further lockdowns in some countries.

As COVID-19 continues to disrupt global mobility, now for a second year, its management has highlighted some of the existing shortcomings within national immigration systems, including their lack of resilience. The pandemic has prompted States to develop conditional entry requirements and continuously modify immigration procedures to adapt to shifting health imperatives.[1] Most recently, following the gradual roll out of several COVID-19 vaccines, discussions surrounding proof of vaccination for travel have come into sharp focus, and the development of ways to certify inoculations have become a key part of discussions towards recovery. The mobility requirements implemented to respond to the challenges surrounding cross-border human mobility can be expected to alter migration management in the long-term, serving as a critical turning point in relation to health and travel. However, the digital and health-related measures under development need comprehensive safeguards and data privacy standards to avoid further discrimination and widening the global mobility divide.

Against this backdrop, this IOM Issue Brief presents some of the latest immigration related trends driven by the pandemic. After months of uncertainty regarding COVID-19's long-lasting effect on global mobility systems, this Brief includes several examples to underpin how the pandemic is modifying mobility and migration management for the foreseeable future.

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[1] DTM – COVID-19 Travel Restrictions Output, https://migration.iom.int/reports/covid-19-travel-restrictions-output-%E2%80%94-30-november-2020, IOM, 03.12.2020
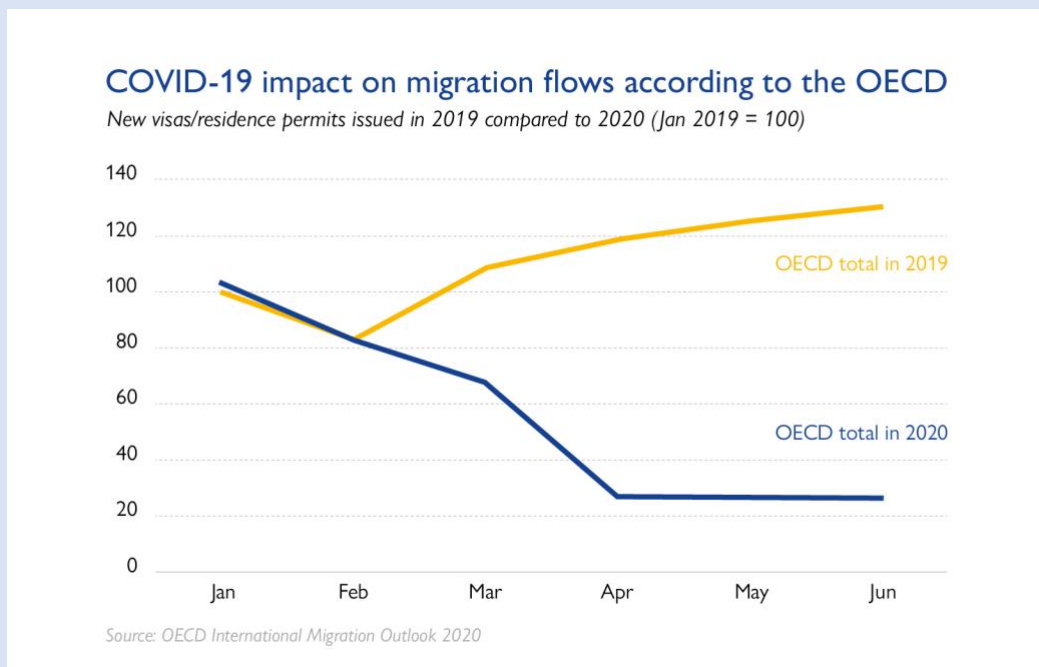
Shortcomings of Immigration Systems

The border closures and travel restrictions enacted to halt the spread of the pandemic have had a direct impact on immigration and visa processes worldwide. In many countries, admission and stay applications were interrupted for months, with prospective and current migrants finding themselves unable to access related immigration services. Even as some States have begun to carefully re-open certain pathways for mobility and migration, the processing of many visa and permit types remains limited, delayed, or suspended.

As a reference to highlight COVID-19's impact on immigration policies and procedures, the below graph illustrates the decrease in visas issued by OECD countries during the first half of 2020:

COVID-19 impact on migration flows according to the OECD
New visas/residence permits issued in 2019 compared to 2020 (Jan 2019 = 100)

Source: OECD International Migration Outlook 2020

While the impact on national immigration services varies depending on the country, the absence of global mobility and the significant reductions in visa issuance had direct consequences on the work of the respective government departments. In particular, the **persistent disruptions to admission and stay procedures have highlighted the continued lack of preparedness and resilience of some immigration systems,** both in terms of their structures and funding models, as well as in relation to the immigration related processes themselves.

- ### *Need for Updated Models*

Mobility is a driver of growth and opportunity. Yet, it often relies on **rigid, outdated and strictly fee-based immigration systems** which may actively create barriers to migration. Most national immigration systems operate on a fee-based funding model, sustained by the revenue from visa and permit applications. This type of model is extremely sensitive to the sharp decrease in visa applications that has

taken place across the world due to COVID-19. Reports about the financial issues faced by a number of national immigration departments over the past few months serve to illustrate the issues inherent to their structures. In a number of cases, the reopening of immigration processing operations has led to increased visa fees to recover some of their financial losses.[2]

In recent years, many countries have outsourced immigration related services to external service providers. The lack of adequate oversight of private entities managing immigration related activities, and their reliance on service fees from visa applications, has been highlighted during the pandemic. Another example of the fragility of many immigration systems is the scale of the backlogs in visa applications. Decisions on visa applications may take months or years to action and existing backlogs have been worsened by processing disruptions and the often short-term changes made to visa policies during the past year, further demonstrating the lack of resilience of these immigration systems.

- *Need for Updated Processes*

The pandemic has exposed several underlying weaknesses in current immigration processes, including the **use of outdated technology and the over-reliance on in-person and paper-based processes.** These features are central to most admission and stay procedures, and many require visits to external service providers to fulfil various in-person steps, including the physical submission of applications and the enrollment of biometric information at visa application centers.

During COVID-19, the existence of in-person procedures as part of immigration processes has been a major issue. The lack of digital capacities and remote solutions has been one of the main factors behind the countless cases of migrants left stranded and in irregular situations with limited access to immigration services. Many immigration systems worldwide struggled to set up safe and alternative ways for migrants to submit their applications and supporting documents for visa or permit applications, renewals and extensions. These pre-existing gaps in some immigration systems, including the lack of tailored support available for migrants in vulnerable situations, have increased during the pandemic. To address such gaps and improve processes in an inclusive and efficient way, States should speed up the evolution of their relevant systems by establishing more flexible, remote, and virtual solutions that consider and safeguard the rights of migrants.

The worldwide halt in mobility and the lack of preparedness by many States when responding to the unique challenges posed by COVID-19, have prompted some governments to begin reviewing many aspects of their immigration models and processes, with some examples noted below.

Government Approaches – Selected examples:
- **Canada** has waived the need for biometric enrolment for permanent residence permit applicants having already provided biometric information in the past ten years.[3]
- All foreign nationals legally staying in **Thailand** and affected by the COVID-19 pandemic were eligible for visa amnesty (visa relief or automatic and free visa extension).[4]

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[2] US House clears bill to raise premium processing fees, may delay USCIS furlough, https://economictimes.indiatimes.com/nri/visa-and-immigration/us-house-clears-bill-to-raise-premium-processing-fees-may-delay-uscis-furlough/articleshow/77706123.cms, The Economic Times, 24.08.2020

[3] Biometrics no longer required for some Canadian immigration applicants, https://www.cicnews.com/2020/09/biometrics-no-longer-required-for-some-canadian-immigration-applicants-0915855.html#gs.qz8u5u, CIC News, 22.09.2020

[4] Visa amnesty extended to Oct 31, https://www.bangkokpost.com/thailand/general/2009243/visa-amnesty-extended-to-oct-31, Bangkok Post, 27.10.2020

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- **Ukraine** cut the consular fees for single entry e-visas to USD20 and introduced faster e-visa processing.[5]
- **Russia** will implement an e-visa system for citizens of 52 countries for tourism, business and humanitarian activities as well as for private reasons, starting in January 2021.[6]
- **Australia** introduced a waiver for international student visa fees for students who held a student visa on or after 1 February 2020 and who couldn't complete their course within their original visa validity due to the impacts of COVID-19.[7]

Critical Juncture for Migration Management

As countries continue to introduce new measures, shift procedures, and adapt their immigration systems to COVID-19 related mobility needs, it can be expected that **short-term measures and solutions introduced as a response to the pandemic will serve to consolidate new features within immigration systems for the long term.** Even the current roll-out of COVID-19 vaccines is unlikely to completely undo all of the short-term changes enacted to immigration systems over the past year, as States have begun to internalize the paradigm shift caused by the emergence of health imperatives within mobility management.

As more information about COVID-19 becomes available, the measures put in place to facilitate movements, including health related requirements, should increasingly become more evidence based. Despite the need for additional scientific evidence and research, the move from *ad hoc* measures with limited efficacy in preventing the spread of the virus – such as relying on 72 hour pre-departure testing, amongst others – to mobility processes that incorporate health requirements for travel and entry, has already begun. Health monitoring tools used in immigration processes and new solutions for admission and stay related procedures (particularly remote/virtual solutions), can be expected to grow.

- ### *Mobility Requirements that Better Address Migrants' Rights*

As processes and tools for migration and mobility management change and longer-lasting solutions are introduced, the protection of migrants' rights, including the right to health, should be emphasized. As expressed in IOM's Policy Paper on [Cross-Border Human Mobility Amid and After COVID-19](), health-proofing measures along the migration continuum, are key to restarting migration. For this, the development of a holistic approach to border management that finds ways to adapt the International Health Regulations (IHR) will be critical. The integration of pre-migration health activities, such as migration health assessments and Health, Border and Mobility Management approaches, including current IHR guidance and tools, is key for border officials and migration authorities to respond to public health risks. At the same time, however, it is crucial to avoid stigmatizing international travellers as suspected COVID-19 cases or contacts. According to the most recent guidance for international travel issued by the WHO, healthy travellers should not be a priority group for testing, and resources should be focused on people at risk, vulnerable populations and health workers.[8]

The health requirements implemented by States **need to allow continuous access to regular migration pathways, with adequate facilitation measures that include support for migrants in vulnerable**

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[5] Ukraine cuts consular fees for single-entry e-visa to US$20, https://www.unian.info/society/tourism-ukraine-cuts-consular-fees-for-single-entry-e-visa-to-us-20-11203448.html, UNIAN, 02.11.2020

[6] Everything You Need to Know About Russia's New E-Visas, https://www.themoscowtimes.com/2020/11/12/everything-you-need-to-know-about-russias-new-e-visas-a72023, The Moscow Times, 12.11.2020

[7] COVID-19 and the border: Student visa, https://covid19.homeaffairs.gov.au/student-visa, Australian Government: Department of Home Affairs, 12.01.2021

[8] Considerations for Implementing a Risk-Based Approach to International Travel in the Context of COVID-19: Interim Guidance, https://www.who.int/publications-detail-redirect/WHO-2019-nCoV-Risk-based-international-travel-2020.1, WHO, 16.12.2020

situations. To mitigate the risks associated with these measures accelerating the transition to digitalization and the use of technological solutions for immigration purposes, these changes must take into account the ways in which they might heighten migrant vulnerabilities. For instance, the development of certain remote digital solutions, with a roll-back of many in-person processes, may hinder access to regular migration for migrants in vulnerable situations or those left behind as part of the digital divide. In addition to the risks associated with the use of certain technologies, attention must be given to other issues such as the increased privatization of public immigration services, including those for refugees and vulnerable migrants. The development of health-related mobility requirements along the migration continuum should include comprehensive visa policies that integrate safeguards and data protection standards to protect migrants' rights, avoid further exacerbating existing vulnerabilities and ensure no one is left behind.

- *Widening Global Mobility Divide*

The pandemic can be expected to continue **increasing already existing disparities in accessing regular migration,** thus exacerbating the global mobility divide. With many visas and stay permits suspended at the onset of the outbreak, significant numbers of migrants continue to find themselves stranded and in vulnerable situations due to their uncertain migratory status. Regular stay continues to rely on short-term extensions and, now more than ever, the poorest and most vulnerable migrants face the toughest barriers to accessing mobility channels. The urgent need to restart short-term travel, including business and tourism, is influencing the way processes for longer stays will be able to function. Moreover, by slowing down and complicating immigration processes, the pandemic has reduced access to regular migration pathways, which might lead to an increase in irregular migration.

The shift from travel bans to intricate conditions for authorized entry can also serve as the foundation for increasingly restrictive immigration policies – first implemented as a short-term pandemic response but subsequently left in place to regulate entries. At the moment, the most commonly required entry conditions are centered on medical requirements in the form of PCR tests and quarantines which are not easily enforceable for States and are not necessarily accessible or affordable to some groups of migrants. The roll-out of vaccinations risks further exacerbating existing global mobility disparities and exclude certain travellers and migrants, particularly those in vulnerable situations. To avoid this, the WHO recommends States to work towards covering the costs of PCR tests and other medical requirements directed at travellers for the protection of public health.[9] At the country level, IOM advocates for migrants – regardless of their legal status – to be considered, counted and included in each of the vaccine priority groups identified by national authorities in their distribution plans. It is important to ensure that migrants have access to affordable and equitable COVID-19 diagnostics, testing, treatment and vaccination services.

> **Government Approaches – Selected examples:**
> - In **Singapore**, iris and face scanning for immigration clearance at all checkpoints were introduced as a contactless solution.[10]
> - **Japan** opened an airport coronavirus test lab for departing travellers.[11]

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[9] Considerations for Implementing a Risk-Based Approach to International Travel in the Context of COVID-19: Interim Guidance, https://www.who.int/publications-detail-redirect/WHO-2019-nCoV-Risk-based-international-travel-2020.1, WHO, 16.12.2020

[10] Iris, face scanning for immigration clearance at all checkpoints since July, https://www.channelnewsasia.com/news/singapore/iris-face-scanning-immigration-clearance-checkpoints-ica-13393148, CNA, 28.10.2020

[11] Japan opens airport coronavirus test lab for departing travellers, https://www.reuters.com/article/idUSL4N2HO0M7, Reuters, 02.11.2020

- In **Tunisia**, the Ministry of Social Affairs confirmed the provision of financial grants to vulnerable migrants and waivers for expired work permits.[12]

- Some critical healthcare workers who earn below the New Zealand median wage can now stay in **New Zealand** for four years before being subject to a stand down period.[13]

- **Portugal** regularized migrants whose status was pending at the onset of the pandemic, which has provided them access to the national health system, employment, and social security.[14]

Vaccination Authentication

As States examine how to resume cross-border mobility, **proof of a COVID-19 vaccination emerges as a likely pre-requisite to access travel, and a key part of future admission and stay requirements,** gradually replacing the testing and quarantine requirements in place. However, as expressed by the WHO, the effectiveness of these vaccination certificates remains unclear to prevent the spread of the virus, and the development of these "immunity passports" is not a recommended practice.[15] In addition to concerns surrounding migrants' inclusion in vaccine distribution plans, the development of technology-based solutions to authenticate the vaccination status of travellers and migrants risks further exacerbating existing disparities in accessing regular migration.

A number of international organizations (including UN agencies), countries, airlines and private companies are currently working on developing COVID-19/health passports, smart vaccination certificates (digital yellow cards), immunity certificates and related travel apps which would help trace travellers' vaccination status. Such solutions include a few global initiatives, such as CommonPass, ICC's AOKpass, and IATA's Travel Pass (see box below). However, data privacy compliance, interoperability and authentication capacity are crucial features these solutions need to integrate if they are to effectively enable the resumption of global cross-border mobility, and their usage will require intensified coordination at the international level. To facilitate this task and to inform the definition of specifications and standards related to interoperability, governance, and design for a personal digital vaccination certificate, WHO is forming a Smart Vaccination Certificate technical specifications and standards committee. These technological solutions also need to be inclusive and allow access to regular migration for all migrants and travellers, including those in vulnerable or irregular situations or unable to access the relevant technology.

Technological solutions and apps examples:

- **CommonPass**, supported by the World Economic Forum and other public and private partners, is a platform which allows users to upload COVID-19 test results or a proof of vaccination, generating a health certificate in the form of a QR code. The Linux Foundation is also working with IBM and CommonPass to help develop a set of universal standards for vaccine credential apps.[16]

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[12] Coming Out Stronger from COVID-19: Policy Options on Migrant Health and Immigration, https://reliefweb.int/report/world/coming-out-stronger-covid-19-policy-options-migrant-health-and-immigration, ReliefWeb, 06.10.2020

[13] COVID-19: Key updates, https://www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response#healthcare-sector, New Zealand Immigration

[14] Portugal to treat migrants as residents during coronavirus crisis, https://www.reuters.com/article/us-health-coronavirus-portugal-idUSKBN21F0N7, Reuters, 28.03.2020

[15] Considerations for Implementing a Risk-Based Approach to International Travel in the Context of COVID-19: Interim Guidance, https://www.who.int/publications-detail-redirect/WHO-2019-nCoV-Risk-based-international-travel-2020.1, WHO, 16.12.2020

[16] CommonPass, https://commonpass.org/,The Commons Project

- IATA is trialling a **Travel Pass** which would enable travellers to share digital test or vaccination certificates with authorities to facilitate travel.[17]

- The **ICC AOKpass** developed by International SOS, a French travel security company, together with two Singaporean startups, displays verified test records and is already used by airline companies.[18]

- **IBM,** one of the key players for technology worldwide, developed the **Digital Health Pass**, a health passport app which allows organizations to design and check rules for entry, such as COVID-19 tests and vaccination records. Individuals can share their information through an encrypted digital wallet on their smartphone.[19]

- Some companies within the **COVID-19 Credentials Initiative** are developing a smart card on which digital credentials can be stored without the need for stable internet or smartphones.[20]

- IOM developed the **electronic Personal Health Record (e-PHR)** to establish a more comprehensive approach to foster health provision for migrants arriving in Europe, and to facilitate follow-up and continuity of care. The e-PHR is a resource for Health Professionals aiding health assessments and medical follow ups for new migrants, and is being expanded to other regions. [21]

Government Approaches – Selected examples:

- In October 2020, WHO and **Estonia** agreed to collaborate on developing a smart vaccination card platform for the European region.[22]

- **Singapore** becomes the first government to use the ICC AOKpass digital health certificate to verify the COVID-19 status of inbound travellers.[23]

- **Germany** announced that asylum seekers in reception centres will be included in the second group on the vaccination priority list.[24]

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[17] IATA Travel Pass Initiative, https://www.iata.org/en/programs/passenger/travel-pass/, IATA

[18] A secure way to present medical information, https://www.aokpass.com/, AOKpass

[19] IBM Digital Health Pass, https://www.ibm.com/products/digital-health-pass, IBM

[20] A New Coalition Forms To Make Digital Vaccine ID Cards A Reality, https://www.forbes.com/sites/leahrosenbaum/2021/01/14/a-new-coalition-forms-to-make-digital-vaccine-id-cards-a-reality/?sh=231be0fa8b7e, Forbes, 14.01.2021

[21] E-PHR, https://www.re-health.eea.iom.int/e-phr#:~:text=The%20aim%20of%20the%20electronic,national%20and%20cross%2Dborder%20disease, IOM, 2016

[22] Estonia and WHO to jointly develop digital vaccine certificate to strengthen COVAX, https://www.who.int/news-room/feature-stories/detail/estonia-and-who-to-jointly-develop-digital-vaccine-certificate-to-strengthen-covax, World Health Organization, 07.10.2020

[23] Breakthrough for air travel as Singapore becomes first government to accept digital COVID-19 test results for immigration purposes, https://iccwbo.org/media-wall/news-speeches/breakthrough-for-air-travel-as-singapore-becomes-first-government-to-accept-digital-covid-19-test-results-for-immigration-purposes/, International Chamber of Commerce, 23.12.2020

[24] Germany: Asylum seekers second-in-line for coronavirus vaccine, https://www.infomigrants.net/en/post/29327/germany-asylum-seekers-second-in-line-for-coronavirus-vaccine#:~:text=Germany%20has%20begun%20vaccinating%20against,take%20one%20to%20two%20months, InfoMigrants, 28.12.2020

KEY FINDINGS FROM PREVIOUS BRIEFS

Previously identified immigration related trends:

- Mobility corridors – Implementation and limitations and Challenges in determining who can travel
- Merging of immigration and public health imperatives and enhanced health checks in immigration processes
- Flexible visa schemes – Seasonal permits and Healthcare and essential worker permits

IOM formulated two sets of recommendations for Member States regarding immigration, consular and visa procedures. The first set offered guidance for **immediate immigration-related responses to the containment measures implemented in the early phase of the pandemic**:

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

- **Expand 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.

- **Adapt regulations** to uphold legal frameworks and incorporate the necessary adjustments for migrants to stay in compliance with immigration rules.

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

The second set is formulated for Member States that are **gradually lifting travel restrictions and relaunching cross-border human mobility:**

- **Reinforce immigration systems** in anticipation of the reopening of mobility channels and visa procedures, implementing the necessary public health tools and operational enhancements.

- **Enhance coordination** in implementing revised pre-departure procedures and proportional entry requirements at the bilateral, regional, and global levels for the reopening of immigration processes.

- **Integrate plans for reopening into long-term recovery schemes** to include all migrant categories.

- **Safeguard the integrity of immigration procedures** by enhancing counter-fraud measures and actively countering misinformation.

Previously identified immigration, consular and visa needs:

- Increased flexibility related to visa requirements to enhance mobility
- Provision of timely and accurate information to migrants
- Expanded processing resources and capacity
- Expansion of consular support
- Management of visa and permit backlogs and related technical support

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