MIGRATION POLICY PRACTICE

Short articles to better connect migration research, policy and practice worldwide

CONTENTS

IOM
UN MIGRATION

Bridging migration research, policy and practice[1]

Migration and mobility can sometimes occur in unexpected ways. In the past few years, we have faced a global health pandemic that resulted in unprecedented immobility globally, with profound impacts on migrants around the world, especially those who became stranded. COVID-19 occurred at a time in which we have also seen an increase in internal displacements due to conflict and violence[2] and are witnessing increased disaster displacement and migration related to the slow-onset impacts of environmental/climate change.[3] Beyond their devastating impacts, these profound shifts have also been catalysts for innovative migration policies, programmes and practices. The COVID-19 pandemic, for example, has presented opportunities for swift policy solutions – such as vaccination programming regardless of immigration status, providing essential services and support to all in need regardless of status, and the release of migrants from immigration detention facilities – to help safeguard migrants' rights and support public health measures.[4] In times of crises, some governments established regularization[5] and temporary protection schemes[6] to respond to local and international border closures and conditions of immobility. Civil society and the private sector also offered innovative ways to ensure accommodation and social services for migrants (including refugees and other displaced persons) in various contexts.[7]

This *Migration Policy Practice (MPP)* issue illustrates diverse migration scenarios and geographies, the linkages between migration policy, practice, and migrants' outcomes, and opportunities for innovative policy responses. From the inception of migration policy development, authors emphasize the importance of analysing key migration policy documents to improve understanding of the local context in which migrants are expected to settle and prosper. By interrogating migration policy, the correlation between local discourses, policy documents and their influence on migration practices and migrants' outcomes is evidenced (Veronis and Walton-Roberts). This issue also presents a guidance tool, the Gender–Migration Index (GMI), for assessing gender-responsiveness and inclusion in migration policy (Golesorkhi). Engaging in the evaluation of migration policy documents is critical to ensure that the goals of policy and programming do not exacerbate migrant vulnerabilities.

This issue contains articles that also examine migration practices, explore the role of local stakeholders in supporting humanitarian interventions, as well as the social protection, social cohesion and integration of migrants. For example, in the context of the crisis in Ukraine, the extent to which diaspora communities can effectively perform humanitarian functions is assessed (Martinescu and Moisescu). In response

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[1] Marie McAuliffe, IOM; Charles Kwenin, University of Ghana; Richa Arora, GiZ; and Jenna Blower, IOM and York University.

[2] Internal Displacement Monitoring Centre, *Global Report on Internal Displacement 2023: Internal Displacement and Food Security* (Geneva, 2023).

[3] Mariam Traore Chazalnöel and Alex Randall, Chapter 9: Migration and the slow-onset impacts of climate change: Taking stock and taking action, in: *World Migration Report 2022* (M. McAuliffe and A. Triandafyllidou, eds.) (IOM, Geneva, 2021).

[4] IOM, COVID-19 analytical snapshots (Migration Research Division, 2020).

[5] Gonzalo Fanjul and Helen Dempster, Regularizing migrant workers in response to COVID-19, Center for Global Development, 28 July 2020.

[6] European Commission, Temporary protection (n.d.).

[7] UN-Women, Rapid assessment: Impact of the war in Ukraine on women's civil society organizations, Action brief (2022); Kateryna Chechel, How Ukraine's private sector supports businesses in crisis (September 2022, International Finance Corporation).

to the ongoing global competition to attract and retain highly skilled migrants, the role of local governments and employers in supporting migrants' overall well-being is also considered (Spadavecchia).

These articles bring to the fore the diverse preferences and plans among migrants and the unique sets of challenges they face. Indeed, diverse populations have distinct needs, like the indigenous international migration from the Bolivarian Republic of Venezuela to Brazil, where their continuous mobility through Brazil poses challenges to service provision and access rights (Torelly, Alvarez and Castiglione). Examining the impacts of the COVID-19 pandemic, the articles in this issue tend to a range of migrant populations, including Filipino irregular migrant domestic workers in the Kingdom of the Netherlands (Siruno and Siegel), cross-border traders in Zimbabwe (Samugwede, Masunda and Chiweshe), and asylum-seekers in Canada's health sector (Paquet, Garnier, Cote-Boucher and Vives).

Together, these articles underscore the necessity for ongoing research on diverse migration scenarios to inform evidence-based policymaking, programming and practice that is tailored to meet the needs of communities, uphold human rights, and support migrants' empowerment and well-being.

We hope you enjoy this issue.

Marie, Charles, Richa and **Jenna**

Comparative analysis of Canadian municipal policy discourses on immigration and resilience

Luisa Veronis and Margaret Walton-Roberts[1]

ABSTRACT

Using a range of municipal policy documents relating to immigration, settlement, integration and diversity, this article analysed how the notion of resilience is mobilized, framed and used in five census metropolitan areas (CMAs) in two Canadian provinces (Ontario and Quebec). The analysis shows that the two gateway cities of Montreal and Toronto have developed their own unique brand of resilience – urban resilience and civic resiliency respectively – but second-tier cities, such as Gatineau, Ottawa and Kitchener-Waterloo, tend to reproduce dominant provincial discourses of resilience. The findings have implications for how resilience thinking is applied to immigration, settlement and integration policy in urban areas.

Introduction

As the twenty-first century brings increased complexity and uncertainty, the notion of resilience has gained significant traction in a range of societal sectors and academic disciplines.[2] *Resilience* refers to the capacity of individuals, communities, cities and a variety of systems (such as health, housing, transportation and environmental) to cope in the face of shocks and stresses, to adapt and survive, and even to grow and transform when necessary or given

adequate circumstances. This paper offers a comparative analysis of the use of resilience in Canadian municipal policy discourses in relation to immigration.

Generally, most studies adopt one of three approaches to resilience: (a) government/institutional (top-down); (b) community grassroots (bottom-up); or (c) critical progressive.[3] While the benefits of developing resilience are clear, critical scholars align its promotion with neoliberal policies and forms of governance, including the decentralization of State responsibility and the implementation of austerity measures that maintain the political and economic status quo.[4] Considering these debates, the aim was to examine to what extent resilience is used and how it is framed and mobilized in government policy discourses and actions in relation to immigration. This can then gauge how governments at all levels shape ideas about resilience that may enhance and/or hinder immigrant settlement and integration.

Methodology

The authors conducted a discourse analysis of federal, provincial and municipal government

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[2] Xiaolong Xue, Liang Wang and Rebecca J. Yang, "Exploring the science of resilience: Critical review and bibliometric analysis", *Natural Hazards: Journal of the International Society for the Prevention and Mitigation of Natural Hazards*, 90(1):477–510 (2018); Peter A. Hall and Michèle Lamont (eds.), *Social Resilience in the Neoliberal Era* (Cambridge University Press, New York, 2013).

[3] For an institutional perspective, see Vivien Lowndes and Kerry McCaughie, "Weathering the perfect storm? Austerity and institutional resilience in local government", *Policy & Politics*, 41(4):533–549 (2013). For a community or grassroots approach, see Laurence J. Kirmayer, Megha Sehdev, Rob Whitley, Stéphane F. Dandeneau and Colette Isaac, "Community resilience: Models, metaphors and measures", *International Journal of Indigenous Health*, 5(1):62–117 (2009). For a more critical perspective, see Martin Fougère and Eija Meriläinen, "Exposing three dark sides of social innovation through critical perspectives on resilience", *Industry and Innovation*, 28(1):1–18 (2021).

[4] Jon Coaffee, "Rescaling and responsibilising the politics of urban resilience: From national security to local place-making", *Politics*, 33(4):240–252 (2013); Jeremy Walker and Melinda Cooper, "Genealogies of resilience: From systems ecology to the political economy of crisis adaptation", *Security Dialogue*, 42(2):143–60 (2011).

documents from 2005 to 2019, including strategic plans, programme descriptions, policy briefs and reports, resource documents, and various types of articles and news releases. Specifically, this article examines policy documents from five Canadian CMAs where a large share of immigrants, refugees and asylum-seekers, and international students reside. These communities are in two distinct provinces and feature different models of immigrant integration: (a) Montreal and Gatineau in Quebec; and (b) Ottawa, Toronto and Kitchener-Waterloo in Ontario. After a broad institutional scan to document the occurrence of the term resilience (or resilient and resiliency) across the five municipal governments, a more in-depth discourse analysis of policy documents dealing with immigration, settlement, integration and diversity management was undertaken. Compared to other sectors (such as infrastructure, environment and energy), the authors found that the term resilience is much less frequently used in immigration-related documents. The term is rarely mentioned among the selected documents, except for those relating to Montreal's resilience strategy and Toronto's resilience office; both gateway metropolises are members of the 100 Resilient Cities programme and thus developed a unique "resilience brand".[5] Given a low incidence in the use of the term resilience in the selected documents, especially for second-tier cities, a list of proxies (such as adaptation, challenges, barriers, change, coping, discrimination, exclusion, support and transformation) was developed to identify and thematically code text that aligned with notions

of resilience.[6] In the case of Gatineau, Ottawa and Kitchener-Waterloo, the findings show that there is less branding of a unique place-based discourse; rather their approach tends to reflect the respective provincial norms and trends. To analyse the uses of resilience, a codebook was developed and organized around three coding categories (see Table 1 for the codes, description and examples), which also serve to present the findings.

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[5] Launched by the Rockefeller Foundation in 2013, the initiative provided selected cities with funding to hire a Chief Resilience Officer, who will guide the development of their resilience strategy, in addition to access to various services and support through the global network of Chief Resilience Officers. Being members of the Network at this scale partly frames the approach of these two city members, in terms of having hired Chief Resilience Officers and addressing the four principles of the Resilient Cities Network, namely: (a) city-led; (b) impact focused; (c) regionally driven; and (d) partnership based.

[6] Documents consulted include the following: City of Ottawa, City of Ottawa Municipal Immigration Strategy 2016–2018 (2016); City of Toronto, Toronto Newcomer Strategy: Helping Newcomers Thrive and Prosper (Social Development, Finance and Administration Division, Toronto, 2013); Gouvernement du Québec, Plan Stratégique 2001–2004, Direction de la planification stratégique en collaboration avec la Direction des affaires publiques et des communications du ministère des Relations avec les citoyens et de l'Immigration (Québec, 2001); Gouvernement du Québec, La diversité: une valeur ajoutée. Politique gouvernementale pour favoriser la participation de tous à l'essor du Québec (Ministère de l'Immigration et des Communautés culturelles, Québec, 2008a); Gouvernement du Québec, Diversity: An Added Value Government policy to promote participation of all in Québec's development, Summary (English version) (Ministère de l'Immigration et des Communautés culturelles, Québec, 2008b); Gouvernement du Québec, Ensemble nous sommes le Québec. Politique québécoise en matière d'immigration, de participation et d'inclusion (Ministère de l'immigration, diversité et inclusion, Québec, 2015); Government of Ontario, A New Direction: Ontario's Immigration Strategy 2016 Progress Report (Queen's Printer for Ontario, Ontario, 2016); Government of Ontario, Our Foundation for Tomorrow: Ontario's Immigration Strategy 2017 Progress Report (Queen's Printer for Ontario, Ontario, 2017); Judy Maan Miedena and Dan Vandebelt, Immigrants and Growth: A Look at Health and Employment in Waterloo Region (Public Health Determinants, Planning and Evaluation Division, Region of Waterloo Public Health, September 2006); Ontario, Ministry of Education, Capacity Building K-12: Supporting Students with Refugee Backgrounds: A Framework for Responsive Practice, Capacity Building Series: Special Edition #45 (July 2016); Ville de Gatineau, Vers une nouvelle politique québécoise en matière d'immigration, de diversité et d'inclusion. Mémoire soumis à la commission des relations avec les citoyens (février 2015); Waterloo Region Immigration Partnership, Community Action Plan 2014–2016: Full Report (2014); Waterloo Region Local Immigration Partnership Council, Final Report – April 2010 (n.p.).

Table 1. Three main coding categories of resilience

Code	Description	Example
Resilience in practice	How governments define, frame, produce and apply the notion and the discursive mechanisms they employ when mobilizing it	(a) Dynamics of resilience (b) Politics of resilience (c) Resilience as programme
Structural agents of resilience	Structures and entities responsible for initiating, guiding, enacting, fostering and/or imposing resilience policies and practices	(a) Top-down strategies (government and institutional initiatives) (b) Bottom-up activities (grassroots activism; solidarity networks; community alliances, resistance and practices) (c) Mixed approaches/Social resilience or structural approach (intergovernmental and intersectoral partnerships)
Spaces and scales of resilience	Entities (institutions, systems, social groups) at different scales (macro, meso, micro) and/or specific spaces (territories, areas, communities) identified as being, or needing to become, resilient in policy discourses	(a) Scales of resilience: Macrolevel institutional systems (such as international, national, provincial/State, municipal/local governments and non-profits); meso- and microlevel social systems (such as individuals, households and social groups) (b) Spaces of resilience: Geographical contexts and territories associated with entities (such as nation-State, regions, cities and metropolitan regions, urban areas, neighbourhoods and communities)

Source: Authors' own elaboration.

Municipal discourses on immigration and resilience in gateway cities

Resilience in practice

The immigrant gateway cities of Montreal and Toronto are both members of the Resilient Cities Network and have adopted their own distinct approaches to mobilize resilience as a brand that is applied in everyday grounded practice.[7] **Montreal** aligns with the notion of urban resilience, which focuses on the capacity of a city's people, communities, institutions, businesses and systems to survive, adapt and grow, regardless of the types of chronic stresses and acute shocks they experience. In its resilience strategy, the main issues and challenges identified are as follows: (a) floods; (b) industrial and technological risks; (c) terrorist attacks; (d) poverty and social inequality; and (e) ageing infrastructure. The city thus developed a multipronged approach that targets four key action areas: (a) building unified and safe community; (b) protecting the environment; (c) ensuring a diversified and innovative economy; and (d) ensuring integrated governance in the service of the community.

In contrast, **Toronto's** "first resilience strategy"[8] addresses two interlinked challenges of climate change and growing inequities, with a vision organized around three focus areas: (a) people and neighbourhoods; (b) infrastructure; and (c) leadership for a resilient city. Implementation is acknowledged as reflecting resilience as a

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[7] City of Montreal, Montréal's Resilient City Strategy (2018:4).

[8] City of Toronto, Toronto Resilience Strategy (Resilience Office, 2019).

process that requires continuous adaptation from everyone. The focus of the strategy is as much on the approach (leading a resilient city and ensuring community involvement) than it is about focusing on the needs of individuals (based on their characteristics) and where they live (neighbourhoods), and on infrastructure more broadly. The question of equity is central in the approach, which also draws on indigenous conceptions of the environment (that is not separate from people) and community care. Key policy areas of Toronto's resilience strategy include reducing the impact of climate change on communities, particularly those most vulnerable to climate shocks, through initiatives such as vertical resilience, focusing on retrofitting large apartment towers, and building 10 resilience hubs across the city to engage local community.

Structural agents of resilience

There are significant differences in the role of the city within their respective resilience approaches. In Montreal's model, the municipal government is responsible for preventing and reducing concrete, material risks and stresses by investing in the urban infrastructure. The City of Toronto emphasizes community strength in policy implementation and partnership coordination with resilience hubs and community organizations, which represent important entities in the implementation of its resilience policy.

Scales and spaces of resilience

In Montreal, the notion of resilience is applied to various local stakeholders and systems in the city with an emphasis on two scales: (a) macroscale phenomena, such as climate change, economic (in)stability and social change; and (b) microscale vulnerability of individuals (including immigrants), communities and neighbourhoods. In Toronto, municipal documents engaging with resilience predominantly use the term in relation to

individuals, suggesting a strength-based ideology whereby newcomers' resilience and adaptability are valued. It is used to describe immigrants' and refugees' capacity in the migration process, including circumstances, such as war and trauma, family separation and reunification, discrimination, and structural barriers in Canada. Both Montreal and Toronto's practices promote a resilient workforce and include immigrant-selection policies that focus on highly skilled workers and international students. This framing reflects an explicit neoliberal agenda by associating immigration and global competition with economic prosperity.

Outside of the metropolitan gateways: Second-tier cities

Resilience in practice

For second-tier cities, it is found that there are fewer municipal documents on resilience and immigration. In Ontario, this may be because the local settlement sector, rather than the municipal government, is mainly responsible for settlement and integration issues under the umbrella of the Local Immigration Partnership.[9] In Ottawa, skilled migrant workers' ability to participate in the labour market and contribute to the economy emerged as the key priority, and fostering entrepreneurship is emphasized as a form of immigrant economic resilience. This labour market framing reflects Ontario's provincial priorities in terms of economic growth and resilience. In Kitchener-Waterloo, policy documents express a strong community narrative where newcomers are supported through initiatives such as the Immigration Partnership

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[9] Blair T. Cullen and Margaret Walton-Roberts, "The role of local immigration partnerships in Syrian refugee resettlement in Waterloo Region, Ontario", *The Canadian Geographer/Le Géographe canadien*, 63(3):374–390 (2019); Luisa Veronis, "Building intersectoral partnerships as place-based strategy for immigrant and refugee (re) settlement: The Ottawa Local Immigration Partnership", *The Canadian Geographer/Le Géographe canadien*, 63(3):391–404 (2019).

Fund for Immigrant and Refugee Initiatives.[10] The notion of welcoming communities is cited in several documents.[11] Immigration is thus discursively positioned as part of a broader agenda of community development. Gatineau's branding reflects key issues of concern to the province of Quebec, namely the role of interculturalism as diversity management policy and the significance of the French language. While some recognition is given to the challenges immigrants face in the labour market, the focus is on cultural values and managing cultural difference. Some Gatineau documents, especially those whose intended audience are immigrants, stress gender equality as a value that immigrants are expected to respect.[12]

Structural agents of resilience

Ottawa presents itself as a central actor by supporting immigrants' economic resilience both as an employer and promoting immigrant entrepreneurship. The main priority is immigrants' labour market participation and municipal documents focus mostly on services provided to assist immigrants to integrate. Compared to the other cities, Kitchener-Waterloo stands out for clearly adopting a bottom-up approach to resilience through the Waterloo Region Immigration Partnership, which is led by various local stakeholders and was founded through community input on its structure, direction and actions. The City of Gatineau prides itself for being a pioneer in immigration and diversity policy, as well as a model for immigrant integration, but most initiatives appear to follow

a top-down approach. Policy documents suggest that the municipal government gives immigrants opportunities to voice their concerns through consultations, while also fostering community resilience by organizing civic fora for open dialogue among local stakeholders and residents from various backgrounds.

Spaces and scales of resilience

In the second-tier cities, resilience is invoked at two scales: (a) the microlevel of the individual and household; and (b) the local scale of community, urban area and region. In Ottawa's resilience discourse, a key challenge involves immigrants' labour market integration. Proficiency in Canada's official languages is cited as essential for labour market inclusion; here, linguistic skills are interpreted as an economic competence, rather than a component of cultural identity (in contrast to Quebec and Gatineau). The issue of francization, however, is portrayed as a concern not so much for immigrants, but in terms of the potential loss of the French language for the Gatineau region. For Kitchener-Waterloo, the institutional levels of resilience include local organizations, individuals and the municipal (regional) government, which in part is addressed through the Local Immigration Partnership.

Conclusion

Resilience is widely employed to describe desired individual and social responses and capacities to manage the shocks and stresses evident in contemporary society. The discursive use of this term and related proxies regarding immigrant settlement and integration policies differs according to the scale of governance, and also context. Using a comparative approach to examine municipal use of the resilience discourse regarding immigration, this article identifies what resilience is expected to achieve for different interests. Immigrant economic integration

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[10] Immigration Waterloo Region, Immigration Partnership Fund for Immigrant and Refugee Initiatives (n.d.). An endowment fund started in 2017 as a signal of Kitchener-Waterloo as a welcoming community. The funds are used to address service gaps, and prioritizes immigrant-led organizations.

[11] Victoria M. Esses, Leah K. Hamilton, Caroline Bennet-AbuAyyash and Meyer Burnstein, "Characteristics of a welcoming community", Report prepared for the Integration Branch of Citizenship and Immigration Canada (2010); Waterloo Region Local Immigration Partnership Council, (n.d.).

[12] "Respect for gender equality as a recognized value of Quebec society" (authors' translation) (Ville de Gatineau, 2015:10).

is presented as beneficial for individuals, households and the wider community in all cases, but is informed by different contextual factors depending on linguistic policy (promotion of the French language), and urban hierarchy (large metropolises' own branded approaches to resilience versus smaller urban communities' transmission of provincial messaging).

In terms of practice, municipal discourses tend toward concrete applications of resilience in terms of individual and community success and well-being; while at the provincial level, emphasis is on abstract economic and cultural (language and gender equity) issues. The structural agents at each scale reflect this practice dimension in that community and grassroots organizations are more closely aligned to the municipal scale in terms of service operation and settlement activities. Spaces and scales of resilience are reflective of the closeness of each level of governance to communities. At the municipal level, spaces include urban community, infrastructure and systems, and resilience is articulated through ideas of economic and social inclusion and anti-discrimination. For provincial governments, resilience discourses promote desired socioeconomic policy outcomes, including attracting skilled workers and enhancing national development. The cultural and linguistic context differs between Ontario and Quebec, but both provinces utilize neoliberal resilience discourses to support immigrant economic contribution for the benefit of the wider political unit. Nevertheless, emerging developments suggest environmental/climate change and inequities are systemic threats that demand greater resilience for all, but particularly for immigrant communities. Examples of such strategies to build immigrant community resilience include resilience hubs (Toronto) and community funding of immigrant-led initiatives (Kitchener-Waterloo).

Improved understanding of how governance actors apply ideas of social and individual resilience can enable enhanced evaluation of policies both in terms of the sector and scale of interest, and warrants examination of how the collaborative governance of immigration evident in Canada is articulated with discourses of resilience, and to what ends.

The Gender–Migration Index (GMI): Gender-responsiveness and migrant inclusion in policy planning, implementation, monitoring and evaluation

Lara-Zuzan Golesorkhi[1]

Introduction

In 2018, United Nations Member States came together to adopt the Global Compact for Safe, Orderly and Regular Migration. The Global Compact is a non-binding document covering various dimensions of international migration, with 23 objectives and 10 cross-cutting guiding principles.[2] Assessments of the Global Compact took place four years into its implementation at the 2022 International Migration Review Forum, where voluntary national reviews (VNRs) – which reveal important insights on the state of migration policy in specific countries and regions[3] – were submitted. The reviews also provide insights with regard to the Global Compact's guiding principles, including gender-responsiveness.

As part of efforts to contribute to this international review through a gender perspective, the Center for Migration, Gender, and Justice, under the author's leadership, developed the Gender–Migration Index (GMI), a guidance tool for gender-responsiveness and migrant inclusion in policy. The GMI is based on an indicator system that provides benchmarking criteria to ensure that the intersection of migration and gender is considered in policy planning, implementation, monitoring and evaluation. The indicator system assesses the extent to which gender dynamics are mentioned, engaged with and committed to, and is based on a "traffic light" framework, whereby the three traffic light colours correspond to limited, moderate and extensive levels of gender-responsiveness. In this way, GMI offers an innovative and sustainable practice in the context of the Global Compact and beyond.

The Gender–Migration Index

Gendered experiences in migration occur along a continuum comprising origin, transit and destination countries. Based on a country's policies, gender dynamics might not only premise reasons for migration but also affect experiences along migratory routes and in destination countries. Along this continuum, women, girls, lesbian, gay, bisexual, transgender, queer/questioning, intersex, asexual + (LGBTQIA+) and gender-diverse persons face heightened risks of marginalization, vulnerability and violence.

At the same time, women, girls and LGBTQIA+ and gender-diverse individuals remain largely left out of migration policy processes that affect their lives. To address the gap between their lived experiences and migration policy, the GMI provides a guidance tool for stakeholders to ensure gender-responsiveness and migrant inclusion in policy planning, implementation, and monitoring and evaluation by addressing their needs and the challenges they face.

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[2] IOM, Global Compact for Migration (n.d.).
[3] United Nations Network on Migration, Global Compact for Migration: Follow-up and review (n.d.).

The GMI is premised on participatory action research and follows a multi-stakeholder approach in its methodology and design. Based on a paradigm of democratizing knowledge production in policy and to centre migrants' lived experiences therein, the GMI emphasizes the participation of those affected by migration research and policy, namely migrant communities and organizations working with them, in data collection and international reviews.

The Gender–Migration Index indicator system

The GMI indicator system builds on the IOM Migration Governance Indicators (MGI) and UN-Women's Minimum Set of Gender Indicators and is complementary to other efforts towards ensuring gender-responsiveness in the Global Compact, such as the Gender + Migration Hub and the UN-Women publication, *Policies and Practice: A Guide to Gender-Responsive Implementation of the GCM*.

(a) The MGI programme was developed with the establishment of the Migration Governance Framework (MiGOF) by IOM in 2015 and offers a tool to assist countries with their national migration governance. Indicators are grouped under six domains: (i) migrants' rights; (ii) whole-of-government approach; (iii) partnerships; (iv) well-being of migrants; (v) mobility dimensions of crises; and (f) safe, orderly and dignified migration.[4]

(b) The use of the Minimum Set of Gender Indicators as a "guide for national production and international compilation of gender statistics"[5] is the result of an agreed-upon 2013 decision (i.e. Decision 44/109) by the United Nations Statistical Commission. The Minimum Set of Gender Indicators consists of 51 quantitative indicators and 11 qualitative indicators related to gender equality and women's empowerment.

In line with these existing indicator systems and based on principles of participatory action research, the GMI facilitates collaborative inquiry into gender-responsiveness and migrant inclusion in policy with corresponding engagement in international reviews. The application of the GMI is thus a co-curated methodology with a concrete research–action trajectory that encourages the compilation of civil society shadow reports.

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[4] IOM, Migration Governance Indicators (n.d.).

[5] United Nations Gender Data Hub, Minimum Set of Gender Indicators (n.d.).

Figure 1. Gender–Migration Index Indicator analysis
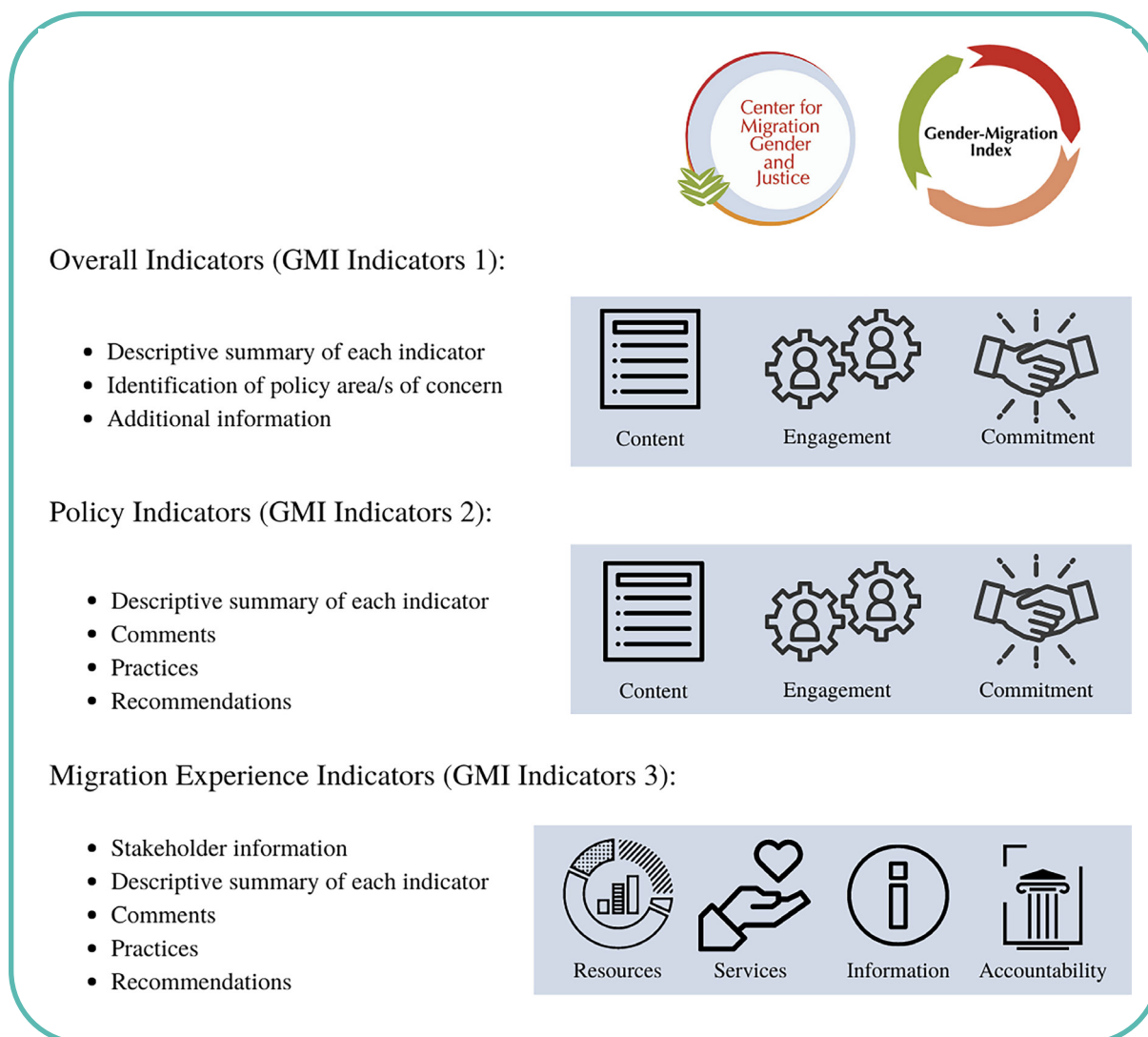
Source: Author's own elaboration.

Notes: The icons represent the GMI indicators with respective guiding questions for analysis as follows:

Content: Indicators 1.1.1 and 2.1.1 (Overall)/Indicators 1.2.1 and 2.2.1 (Policy) – In what ways are gender/migration dynamics mentioned?

Engagement: Indicators 1.1.2 and 2.1.2 (Overall)/Indicators 1.2.2 and 2.2.2 (Policy) – How are gender/migration dynamics addressed?

Commitment: Indicators 1.1.3 and 2.1.3 (Overall)/Indicators 1.2.3 and 2.2.3 (Policy) – What kind of commitments are made in regards to gender/migration dynamics?

Resources: Indicator 3.1 (Migrant experiences) – What kind of resources do migrants use?

Services: Indicator 3.2 (Migrant experiences) – What kind of services do migrants access?

Information: Indicator 3.3 (Migrant experiences) – To what extent are migrants aware of their rights and protections?

Accountability: Indicator 3.4 (Migrant experiences) – In what ways do migrants engage with accountability mechanisms?

Case studies

In developing the GMI, several sample case studies of Global Compact VNRs were conducted for different countries across several regions in order to offer comparative insights on gender-responsiveness. These included the GMI analyses of Germany's VNR (GMI Indicators 1, 2 and 3), in partnership with the local community-based organization, WithorWithout (WoW is a local, community-based, non-profit, non-governmental organization based in Stuttgart,

Germany, which promotes equality and diversity in the labour market by addressing intersectional discrimination experienced by migrant women); Jordan's VNR (GMI Indicators 1 and 2); and VNRs submitted by Mexico, the Gambia and Türkiye (GMI Indicator 1). Based on GMI Indicator 1, overall gender-responsiveness can be described as "limited to moderate" in all examined countries. This section presents abridged findings of these country case studies.

Figure 2. Case study analysis
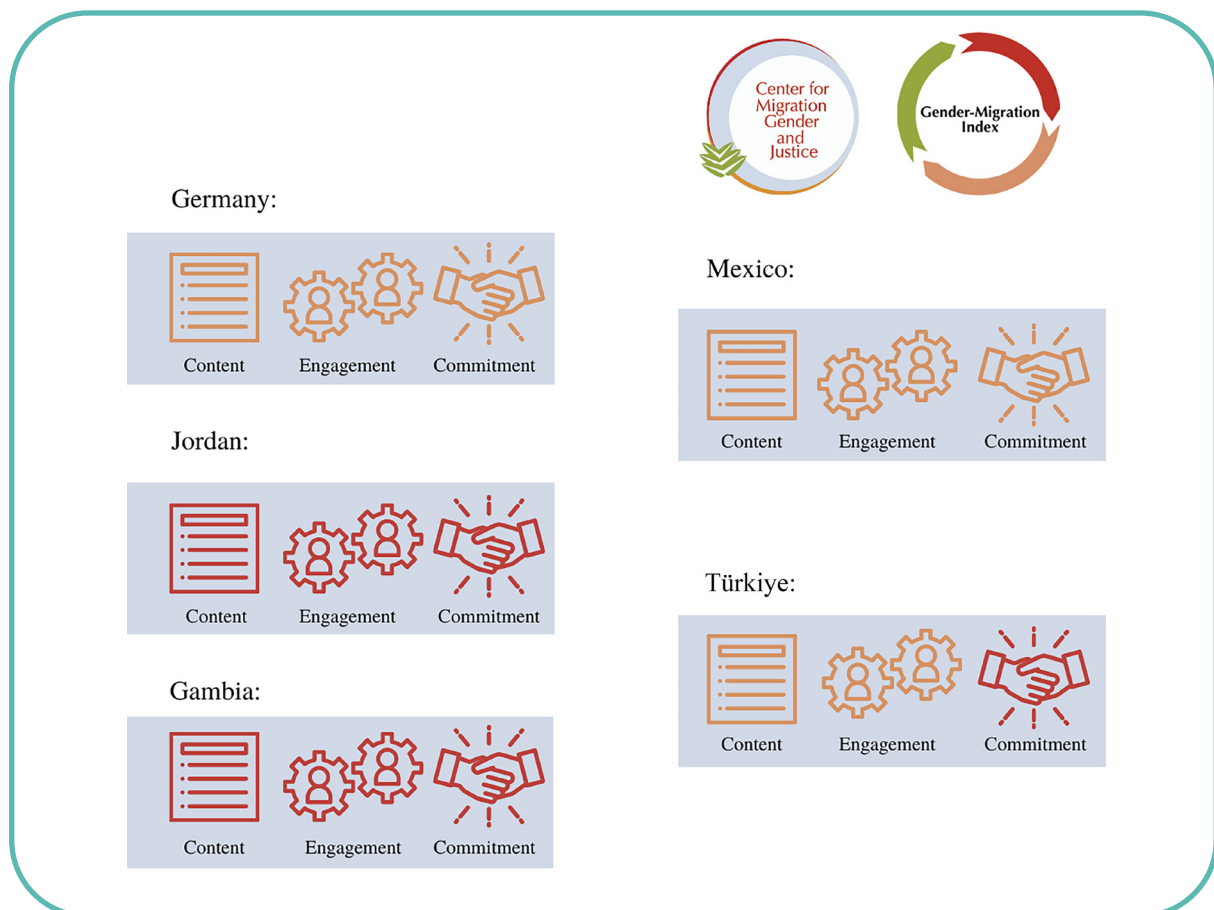
Source: Author's own elaboration.
Notes: The icons represent the indicators with respective guiding questions for analysis as follows:
Content: Indicators 1.1.1 (Overall) – In what ways are gender dynamics mentioned?
Engagement: Indicators 1.1.2 (Overall) – How are gender dynamics addressed?
Commitment: Indicators 1.1.3 (Overall) – What kind of commitments are made in regards to gender dynamics?

Germany

Based on Germany's Global Compact VNR, the country's overall gender-responsiveness (GMI Indicator 1) as regards migration can be described as "moderate".[6] While migrant women are mentioned in relation to labour, empowerment and violence prevention, there is but one mention of LGBTQIA+ migrants and no references to sex, gender identity, sexuality, sexual orientation and gender-responsiveness in the document. Given the moderate level of content that addresses the gender dynamics of migration, there is similarly moderate engagement with gender dynamics in existing efforts.

Notably, with regard to the labour market, Germany's VNR states that a "special focus is on the support of immigrant women, who often face specific challenges and have specific needs." This focus is linked to so-called digital streetwork, which aims to improve migrants' access to information.[7] In line with this moderate level of mention of and engagement with the gender dynamics of migration, commitments in this regard are similarly moderate, as they remain implicit in ongoing and future efforts.

Labour presents a constitutive aspect of Germany's VNR. Indeed, labour, work and employment are mentioned frequently throughout the document as it pertains to existing and planned efforts, and labour market access is listed as a "priority policy area for the Federal Government with regard to the [Global Compact for Migration's] objectives".[8] Yet, in terms of gender dynamics in the labour market, challenges such as language proficiency, digital literacy and lack of information are simply noted and barely engaged with and/or committed to.

This limited content, engagement and commitment with regard to labour policy (under GMI Indicator 2) in the context of gendered migration dynamics points to important practices and recommendations to consider until the next Global Compact Regional Review, as provided by WoW, the stakeholder involved in the GMI Indicators 3 analysis.[9]

As with GMI Indicators 1 and 2, the analysis of migrant experiences (GMI Indicator 3) presents mixed findings. According to WoW, migrant women moderately use resources that address their specific challenges and needs in the labour market and moderately access services pertaining to employment. These moderate levels of usage and access stem from two factors: the first being that there are limited available resources that take into consideration intersectional experiences, such as those of Muslim migrant women; the second being that these available resources that take these varied experiences into consideration often remain inaccessible due to limited language proficiency and/or household structures (that is, childcare).

In terms of the extent to which migrant women have knowledge of their rights and protections and engage with accountability mechanisms, the WoW assessment points to limitations, such as restrictions on the scope of certain rights and protections that do not apply to migrants as third-country nationals and/or non-citizens, as well as fears of reporting instances of discrimination because of their migration status.

In light of this analysis of migrant experiences under GMI Indicator 3, WoW offered indicator-specific recommendations for the next Global Compact Regional Review, including providing

6   Government of Germany, Global Compact for Safe, Orderly and Regular Migration: Regional Review, Contribution by the Federal Republic of Germany (2020).
7   Ibid.
8   Ibid.
9   Center for Migration, Gender, and Justice and WithorWithout, Migration, Gender, and Labor: the case of Germany, United Nations High Level Political Forum Report (July 2021).

resources considerate of the challenges that women face in accessing available services (that is, childcare), refining and increasing data collection on migrant women's experiences of the labour market, and incorporating anonymized application procedures into Germany's anti-

discrimination frameworks. The last was emphasized as a key recommendation to address structural challenges in migrant women's labour market participation, as it is common practice in Germany to include a personal photograph and indicate one's nationality in a résumé.

Figure 3. Germany case study analysis
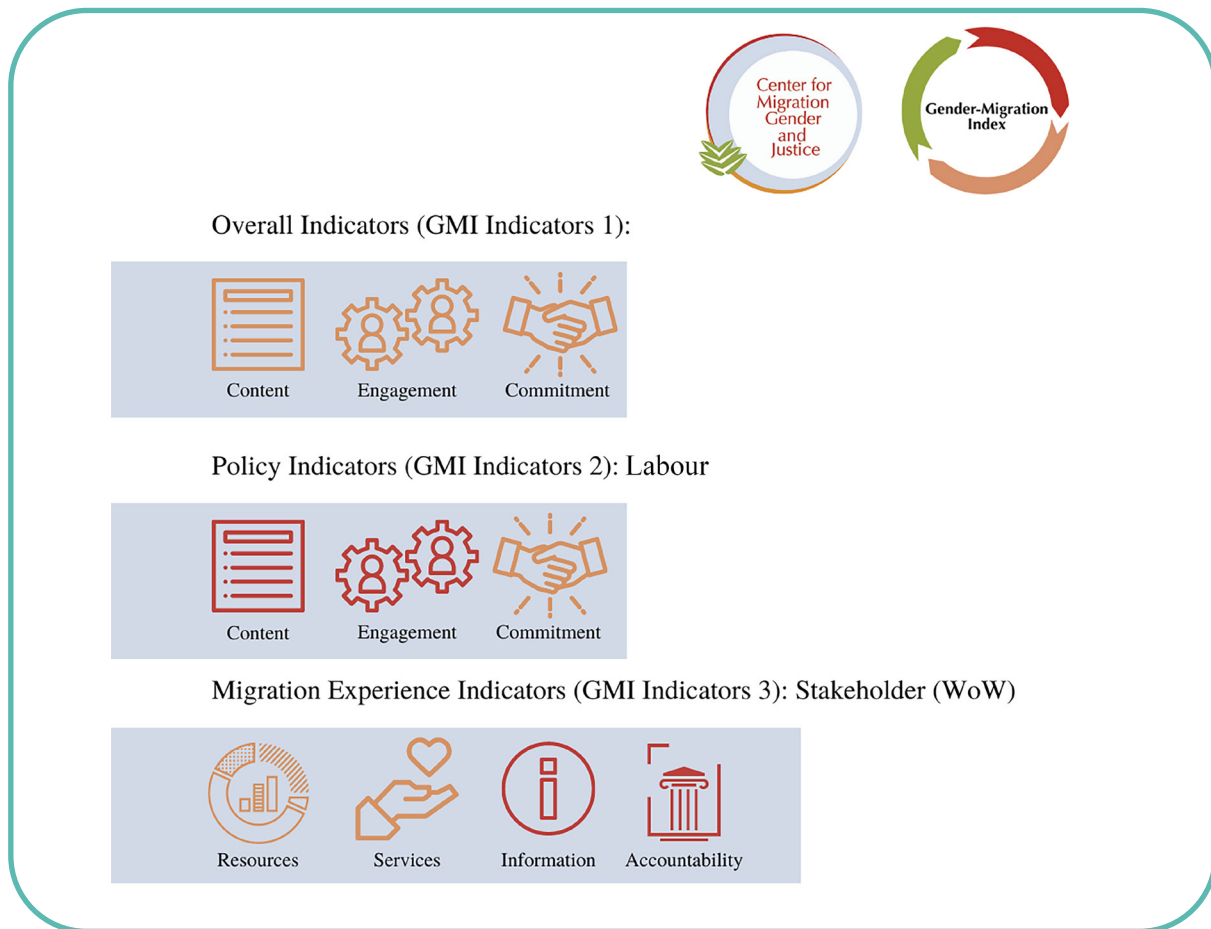
Source: Author's own elaboration.

Jordan

Based on Jordan's Global Compact VNR, overall gender-responsiveness (based on GMI Indicator 1) as regards migration can be described as "limited". Migrant women are mentioned only once in the VNR document in relation to labour (specifically domestic work), while girls and LGBTQIA+ and gender-diverse persons are not mentioned at all.[10] There are also no references to gender, sex, gender identity, sexuality, sexual orientation, gender-responsiveness, or gender-specific or gender-sensitive dynamics of migration.

As with the limited content that addresses the gender dynamics of migration, there is similarly limited engagement with gender dynamics in the country's existing efforts. The one policy mentioned in this context is the Domestic Workers' Regulation. According to Jordan's VNR, the regulation "introduced enhanced protection [as regards] payment of wages, complaint [mechanism] privacy and workers' right to leave work in case of sexual or physical abuse or violation of workers' fundamental rights".[11] The VNR further notes:

> A Domestic Workers by-law has been issued by the Ministry of Labour, with improvement towards protection of domestic workers in comparison with the previous by-law. The by-law was published in the official gazette in July 2020. One of the main challenges in reforming these policies was to engage relevant stakeholders in reforming the regulation and the [amount of] time needed to adopt these amendments.[12]

Outside of this development regarding the 2020 Domestic Workers' Regulation, there is limited commitment to addressing the gender dynamics of migration. While labour demands in the garments and domestic work sectors (both of which are heavily gendered) are identified as priority areas in the area of migration, Jordan's VNR merely states that "ensuring decent work and mitigation measures to prevent labour and other forms of exploitation were at the forefront during the lockdown period in the spring of 2020" but does not offer details in this regard.[13]

Nevertheless, labour presents a constitutive aspect of Jordan's VNR as per GMI Indicator 2. In terms of policy, the extent to which gender dynamics in labour migration are mentioned can be described as "limited", while engagement with and commitment towards these dynamics can be considered "moderate". For instance, the issuance of the 2020 Domestic Workers' Regulation presents a moderate level of commitment towards sustainably considering the gender dynamics of migration. As previously noted, the regulation expands previous protections of domestic workers, who are disproportionately migrant women. In this regard, the review emphasizes that further policy and legislative measures "are needed to ensure a more holistic approach to labour migration to Jordan in terms of admission, stay and departure of migrant workers that is in accordance with international human rights and labour standards and the [Global Compact for Migration]".[14] This reflects potential for increased engagement and commitment towards protections in the labour market that will affect the gender dynamics of migration, even if not explicitly mentioned as such.

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[10] Government of Jordan, First Regional Review of the Global Compact for Safe, Orderly and Regular Migration in the Arab Region (Voluntary National Review) (2021).
[11] Ibid.
[12] Ibid.

[13] Ibid.
[14] Ibid.

The limited content, yet moderate engagement and commitment, as regards labour policy pertaining to the intersection of migration and gender point to important practices, such as aligning labour migration policies with international human rights standards, to consider until the next Global Compact Regional Review, and recommendations to be made, such as the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of the United Nations, the International Labour Organization's (ILO) Domestic Workers Convention (No. 189) and ILO Violence and Harassment Convention (No. 190).

Figure 4. Jordan case study analysis
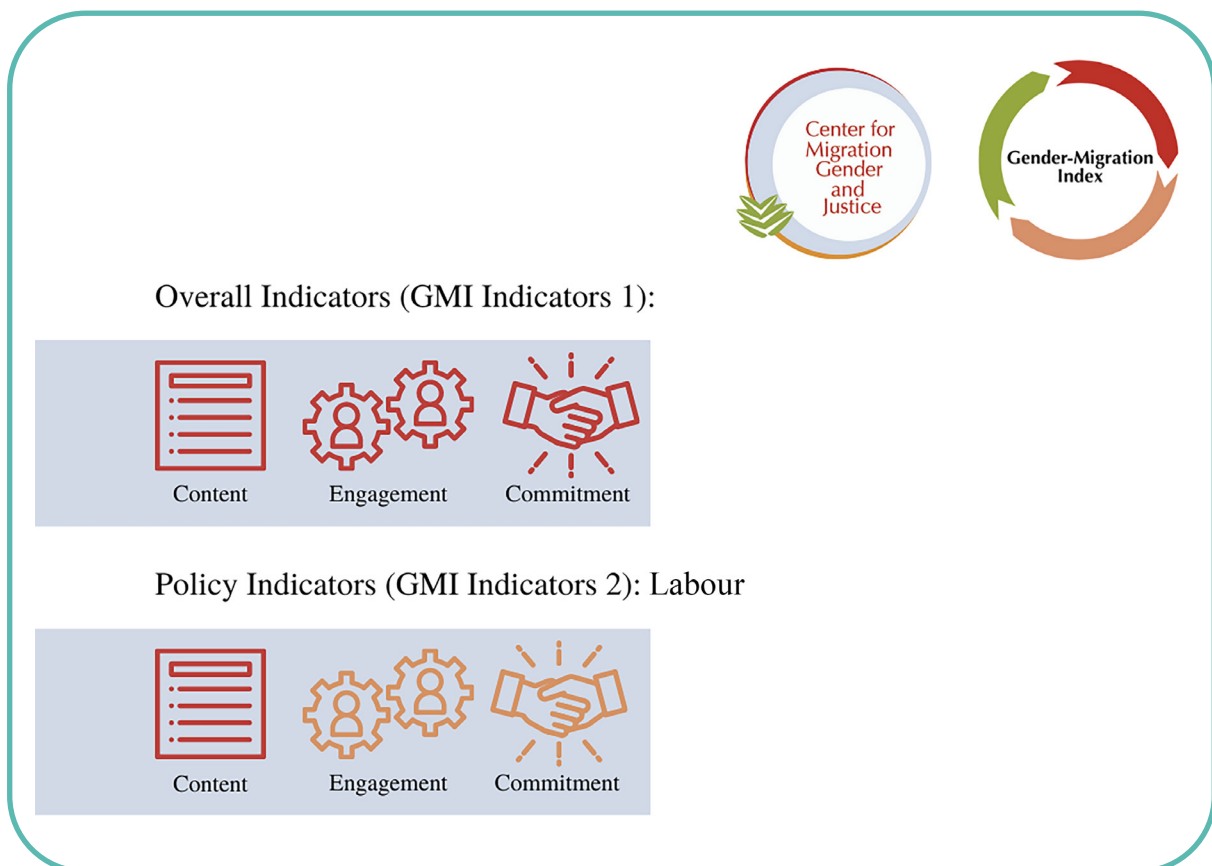
Source: Author's own elaboration.

The Gambia, Mexico and Türkiye

Based on the Gambia's Global Compact VNR, overall gender-responsiveness (based on GMI Indicator 1) in the area of migration can be described as "limited".[15] Gender is referenced three times, and gender-responsiveness is mentioned once in relation to the National Migration Policy (NMP). There is no reference to women, girls, LGBTQIA+ and gender-diverse persons, sex, gender identity, sexuality, sexual orientation, or gender-specific and gender-sensitive dynamics of migration. Similarly, with regards to engagement with and commitment

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[15] Government of the Gambia, First National Review of the Global Compact for Safe, Orderly and Regular Migration in the Gambia: Final Report on the Progress of Implementation (May 2021).

Figure 5. The Gambia case study analysis

Source: Author's own elaboration.

to gender dynamics in migration, gender-responsiveness is limited. While the Gambia's NMP "calls for improved nationwide services for vulnerable female migrants and provides a mechanism for a gender analysis to improve the working conditions of female migrants,"[16] the gender dynamics of migration remain largely unaddressed outside of this commitment.
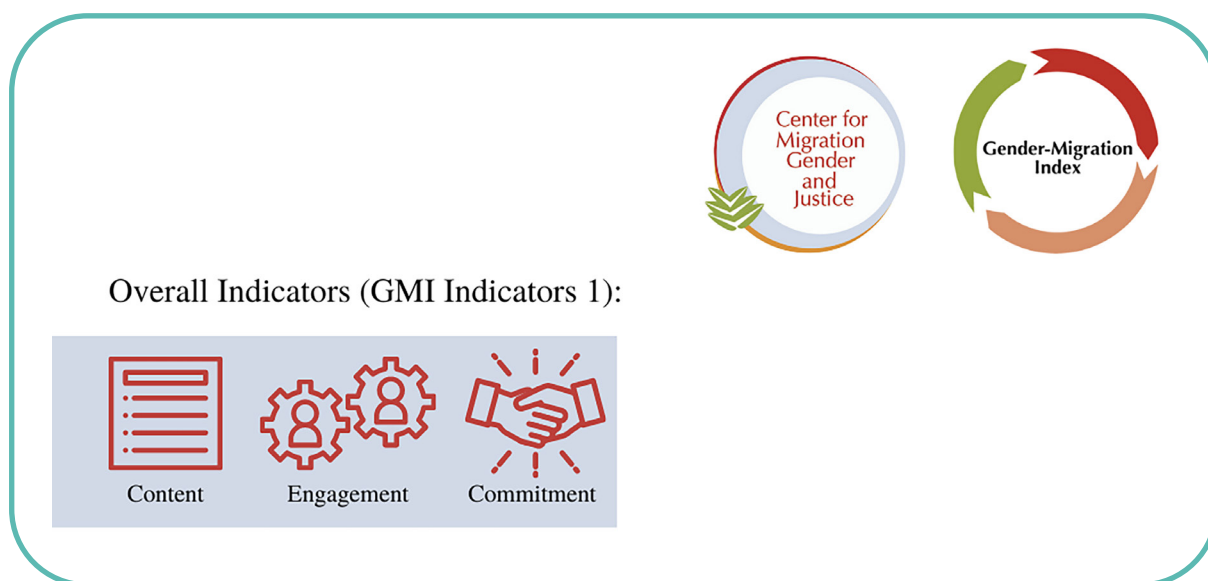
Based on Mexico's Global Compact VNR, overall gender-responsiveness (GMI Indicator 1) as it pertains to migration can be described as "moderate". Gender is mentioned a total of nine times, with three mentions made in the context of gender-based violence.[17] Additionally, migrant women are mentioned twice, and migrant girls are mentioned nine times. There are references to neither LGBTQIA+ and gender-diverse migrants nor to sex, gender identity, sexuality, sexual orientation, gender-responsiveness, or

gender-specific and gender-sensitive dynamics of migration. Similarly, with regard to engagement with and commitment to the gender dynamics of migration, gender-responsiveness can be considered as "moderate". According to Mexico's VNR, the project *"Destajo, tarea, servicio o jornal para mujeres (locales y migrantes) en la agroindustria azucarera"*, launched in 2018, seeks to address disparities in wages and eradicate gender-based violence in the agricultural sector.[18] This project, alongside Mexico's ratification of the ILO Domestic Workers Convention (No. 189), presents a moderate level of commitment towards sustainably considering the gender dynamics of migration.
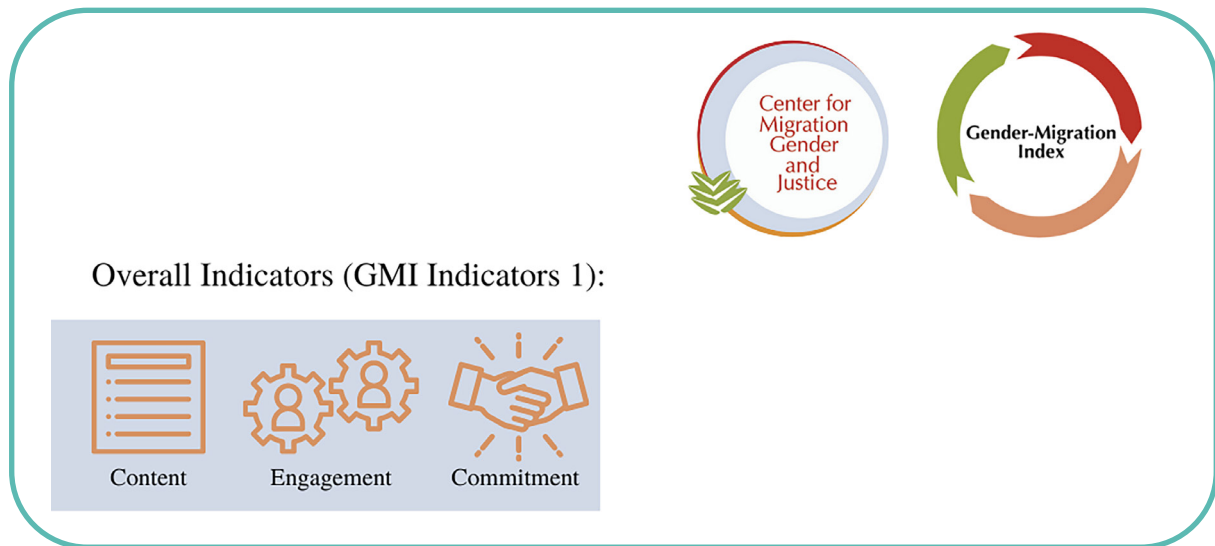
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[16] Ibid.

[17] Secretaría de Relaciones Exteriores, *Revisión Regional Sobre la Implementación Del Pacto Mundial para la Migración Segura, Ordenada y Regular en América Latina y el Caribe* (2020).

[18] Ibid.

Figure 6. Mexico case study analysis

Source: Author's own elaboration.

Based on Türkiye's Global Compact VNR, the overall gender-responsiveness (GMI Indicator 1) as it pertains to migration can be described as "limited to moderate".[19] While gender dynamics are mentioned and engaged with in relation to labour, trafficking and access to basic services, as well as with regard to irregular migration and specific vulnerabilities, commitments towards gender-responsiveness are limited. Outside of noting two initiatives that explicitly engage with gender dynamics in migration, it remains unclear what Türkiye commits to do in this context as per the VNR.

Figure 7. Türkiye case study analysis
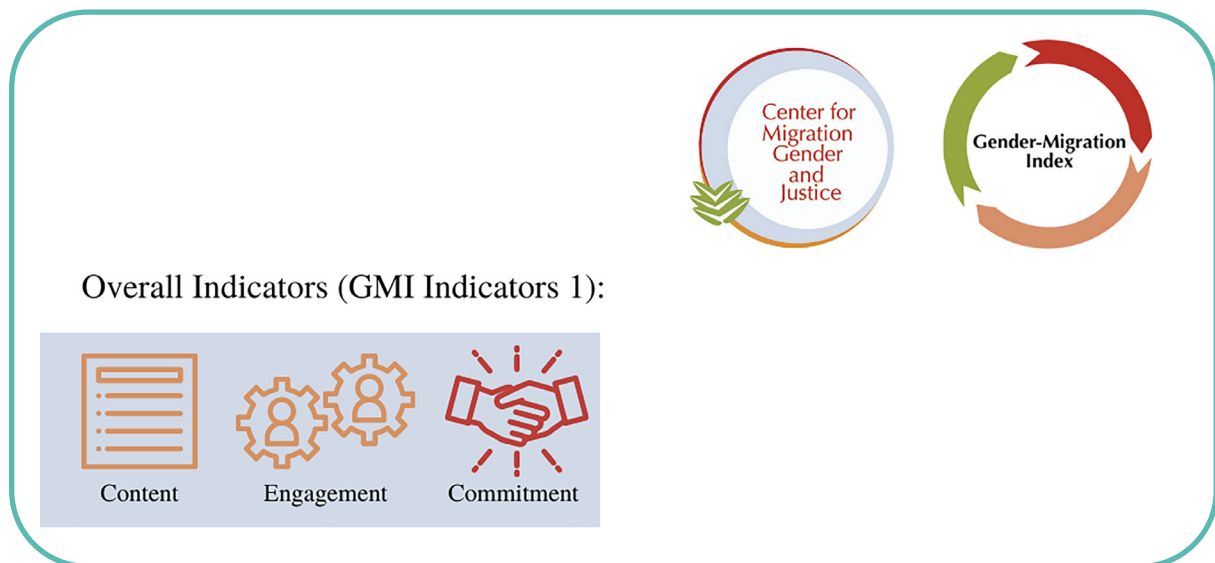
Source: Author's own elaboration.

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[19] Government of Türkiye, The Global Compact for Safe, Orderly and Regular Migration (GCM) Regional Review, submission by Turkey (n.d.).

Next steps

As a guidance tool that facilitates gender-responsiveness and migrant inclusion in policy by addressing the needs and challenges of migrant women, girls, and LGBTQIA+ and gender-diverse persons, the GMI is aligned with various international review processes beyond the Global Compact for Migration, such as the following:

(a) United Nations Commission on the Status of Women (CSW);

(b) United Nations Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW);

(c) United Nations High-Level Political Forum (HLPF);

(d) United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW);

(e) Global Compact on Refugees and Global Refugee Forum (GRF).

The next steps in the application of the GMI thus involve analyses of relevant documents submitted by the United Nations Member States in the context of these international review processes, upon which gender-responsiveness (that is, the CMW, GRF and HLPF) and/or migrant inclusion (that is, the CSW, CEDAW and HLPF) is determined based on respective indicators and in collaboration with stakeholders. With regard to the review cycle of the Global Compact for Migration, a comprehensive VNR analysis of the GMI indicators is planned ahead of the next regional and international reviews (that is, the 2026 International Migration Review Forum).

Humanitarian ecosystems: Can diasporas act as effective humanitarians?

Andra-Lucia Martinescu and Catalina Moisescu[1]

Introduction

Humanitarian interventions are not traditionally associated with diasporas, yet the roles diasporic communities perform during crises often transcend conventional boundaries. Focusing on the war in Ukraine, this paper aims to investigate less-visible humanitarian ecosystems and how diasporic actors coalesced transnationally, the effectiveness and lifespan of such ad hoc responses, as well as implications for the wider humanitarian international community. Drawing upon extensive semi-structured interviews, focus groups and embedded participation, the authors' proposition is simple: yes, diasporas can perform humanitarian functions, but the effectiveness of such interventions depends on multiple factors, which the research – conducted over eight months (February to September 2022) in Romania, Switzerland, Ukraine and the United Kingdom – aims to highlight. Furthermore, the article examines the networked component of diaspora humanitarian initiatives, zooming in on three sets of interrelated transnational responses (Romanian, Ukrainian and/or stemming from other diasporas) in Switzerland, and the United Kingdom (Northern Ireland, Wales and Greater London).

Context

Since the Russian invasion on 24 February 2022 and the outbreak of full-scale war, one third of Ukrainians have been forced from their homes,[2] including millions that crossed the borders into neighbouring countries. Consequently, dozens of countries and multilateral bodies donated billions of dollars in military and humanitarian aid to support Ukraine and those fleeing war. The overall mobilization has been unprecedented: emergency appeals launched by the United Nations and other public donations instruments such as the Disaster Emergency Committee (United Kingdom) raised more funds than previous humanitarian calls combined.[3] With varying degrees of support from national authorities, United Nations agencies and international non-governmental organizations (NGOs) coordinated operations at scale in Ukraine as well as in neighbouring countries.

Public mobilization took other forms as well. In Romania alone, volunteers (not necessarily affiliated with NGOs) set up receiving points at border crossings to assist with relief, even before government agencies coordinated the national response (see Figure 1). Based on government data, between 4 March and 24 May 2022, over 153 charities and humanitarian NGOs were registered as providing relief in eight counties with border crossings.[4]

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[2] United Nations High Commissioner for Refugees, Ukraine emergency (n.d.).

[3] Disaster Emergency Committee (DEC), DEC's Ukraine humanitarian appeal reaches a staggering £350 million as cycle couriers deliver food to some of the most vulnerable inside Ukraine, Press release, 9 June 2022.

[4] For the purpose of this research, the authors petitioned the Government of Romania (Prime Minister's Cabinet) to supply with data on the number of volunteers registered as providing relief at all border crossings by administrative counties: Iaşi, Tulcea, Satu Mare, Suceava, Botoşani, Maramureş, Galaţi and Vaslui (cumulated). The authors strongly believe their numbers are higher than reported, given that lists for volunteer registration (also as a matter of security) were implemented roughly one to two weeks later than the first influx of refugees crossed the border into Romania.

Figure 1. Number of volunteers registered at the border crossings
and Ukrainian refugees by total number of entries

MONTH	TOTAL NO. OF ENTRIES
FEBRUARY (24–28)	89,264
MARCH	506,491
APRIL	233,118
MAY	259,122
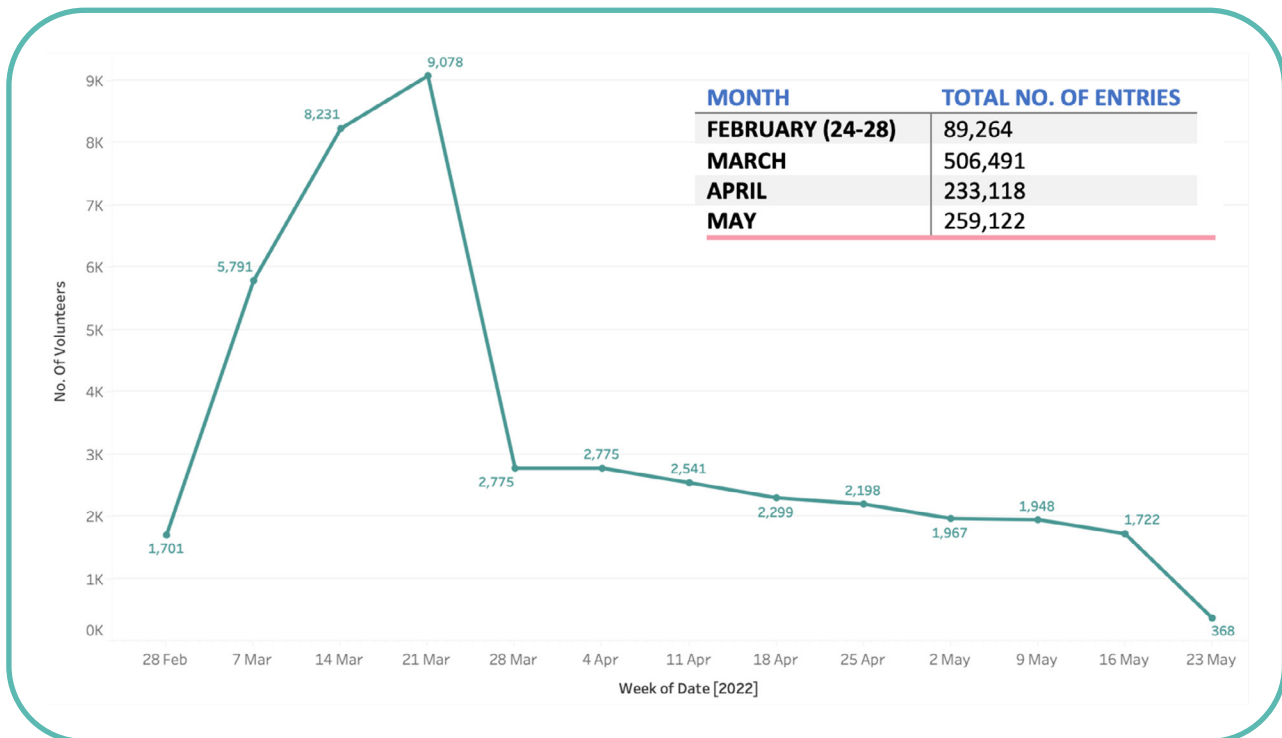
Source: Data provided upon request by the Ministry of Interior of Romania.
Note: The time series depicts the total number of volunteers registered in eight counties with border crossings between 4 March and 24 May 2022 (data supplied by the Ministry of Internal Affairs of the Government of Romania). The table shows the total number of entries by month. Between 24 February and 6 September 2022, Romanian authorities report a total of 2,481,871 Ukrainian citizens having crossed into Romania.

Yet, the crisis also brought improbable humanitarian actors to the fore. Whereas the impact and scale of Ukrainian diaspora aid contributions have been well documented (50 organizations sent over USD 10 million in the first five days and USD 62.3 million in the first two months),[5] the mobilization of other diasporas received far less policy and scholarly attention. Most of these diaspora organizations acted as first responders, setting up humanitarian ecosystems and facilitating immediate assistance in Ukraine and neighbouring borders (that is, at refugee receiving centres).[6] From a qualitative sample of four extended focus groups and ten semi-structured interviews,[7] it emerged that most diaspora associations were not necessarily specialized in humanitarian aid prior to the crisis; however, they did have a robust community assistance component, including sporadic relief initiatives focused on the home country (that is, assistance to orphanages in Romania during winter).

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[5] Diaspora Emergency Action and Coordination, Snapshot of diaspora humanitarianism: Ukraine, February–March 2022 (2022).
[6] As defined in the paper, a humanitarian ecosystem comprises all diaspora, civil society and institutional partnerships that enabled the delivery of aid.

[7] Ten semi-structured interviews were conducted online and on the ground (in Ukraine and Romania), with three local charities (Odesa), five coordinators/representatives from diaspora associations based in Switzerland and the United Kingdom (Northern Ireland, Wales, Greater London and the Midlands). Four focus groups were organized via Zoom with Ukrainian (two) and Romanian diaspora associations from Switzerland and the United Kingdom (five), logistics company based in Hereford, United Kingdom (one), and a Romanian honorary consul based in Wales (one), between 6 and 16 September 2022. The qualitative data is synthesized throughout the paper, referencing the country and region, if necessary.

The "why": Drivers behind diaspora mobilization

The sheer scale of the unfolding crisis prompted these relatively small community-oriented diaspora organizations to mobilize in support of Ukraine through various means. Regarding the diasporic motivation to engage in humanitarian relief, three categories of responses can be distinguished:

(a) **Genuine compassion**: Centred on a perceived moral duty to contribute humanely and help those in need during an existential crisis. Most respondents equated humanitarian assistance with giving, hence the focus on delivering aid.

(b) **Civic commitment and responsibility**: Diaspora civic organizations in Switzerland sought to inform their respective community networks about the ongoing situation in Ukraine and dispel misinformation. Some also argued that in forging partnerships, they only worked with registered NGOs to control the trajectory of public donations. Two participants also expressed a certain mistrust in the way big organizations conduct humanitarian assistance for lack of transparency.

(c) **Affective ties and geographical proximity**: In most cases, respondents had prior historical connections with Ukraine, through extended family networks or by living in bordering regions (Northern Romania). Some referenced the collective memory of forced displacement and deportation during the Second World War.

Such perceptions and motivations guided and largely informed the trajectory and mechanisms of relief ecosystems stemming from non-conventional humanitarian actors. Moreover, the geography of aid distribution mirrored pre-existing ties and contacts. The humanitarian ecosystems created by Romanian diaspora associations across the United Kingdom (in the Midlands, Greater London, Wales and Northern Ireland) delivered aid through Romania's northern (Suceava–Siret), and to some extent south-eastern border crossings (Galați, Isaccea), into Chernivtsi and Odesa oblasts, where these diaspora organizations were embedded, through family or affective ties (Figure 2). A contributing factor was that the two regions in Ukraine also host sizeable Romanian ethnic communities,[8] which somewhat prompted affective mobilization based on ethnocultural and linguistic identification.

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[8] According to the Embassy of Romania in Ukraine, in the Transcarpathia region, including Chernivtsi oblast, there are 181,780 Romanian ethnics, whereas in the Odesa oblast, their number reaches 724 (Ministry of Foreign Affairs, Romanian community: Romanian minority/community (accessed 30 September 2022) (in Romanian)).

Figure 2. Delivery points for aid sent through the UK-based humanitarian ecosystems
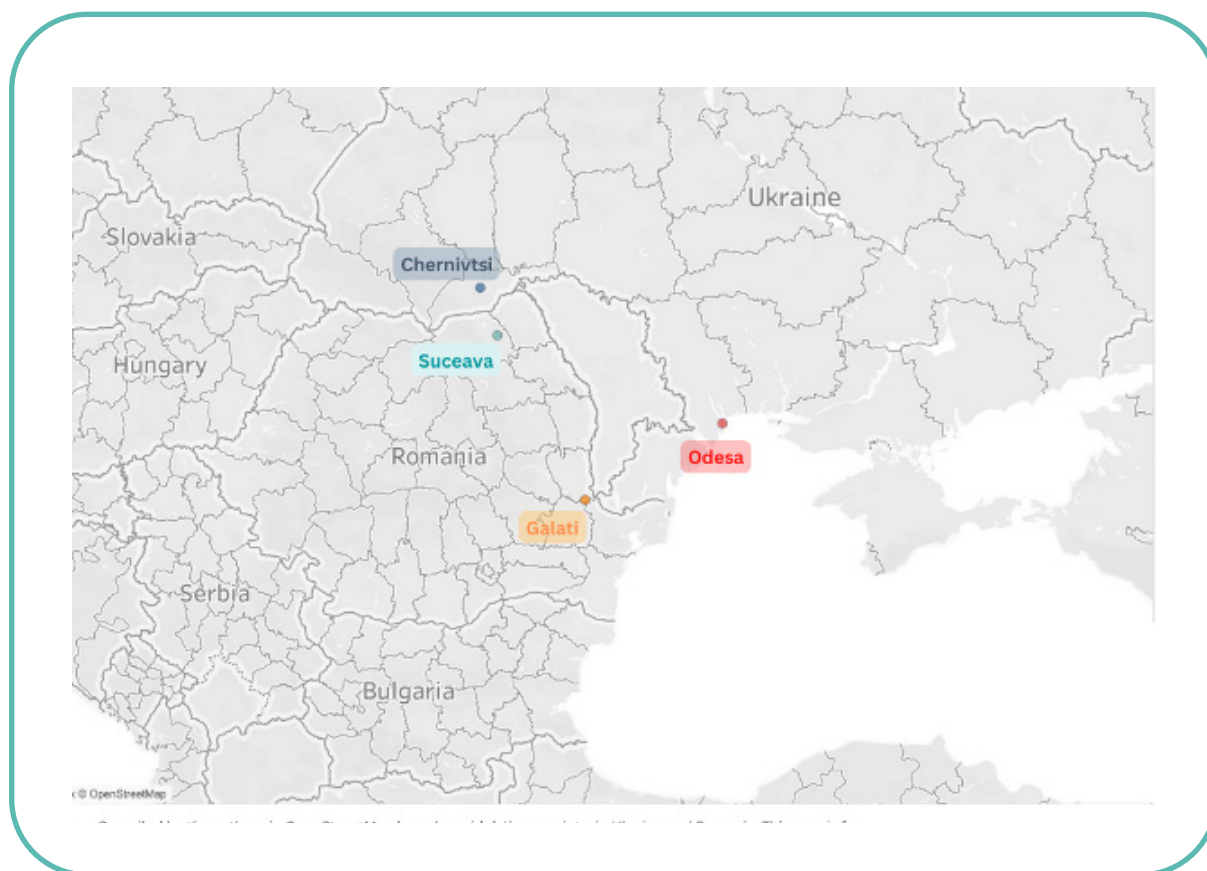
Source: Compiled by the authors in OpenStreetMap based on aid delivery points, in Ukraine and Romania.
Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

With such wide-ranging motivations, it comes as no surprise that goodwill became people's main activity,[9] driving community and civic organizations, including diasporas, to express solidarity by engaging in humanitarian relief. Generally understaffed and with limited resources, diaspora associations had to rely on pre-existing partnerships and ad hoc logistical clusters for the procurement and distribution of aid. The subjective positioning relative to the crisis (that is, geographical proximity and familial ties) and lack of humanitarian expertise also acted as limiting factors, as shall be further explored in section 3.

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[9] Allocution during the Ukraine Forum, Federal Palace (Bern, Switzerland), 27 September 2022.

The "how": The networked mechanisms behind diasporic humanitarian relief

The research discerns between two types of diasporic humanitarian responses: aid delivered inside Ukraine, and at distribution and refugee receiving centres in neighbouring countries (Republic of Moldova, Poland and Romania). To this end, diaspora organizations repurposed relief mechanisms focused on local communities (that is, food banks, housing and work rights assistance) to address a complex and rapidly escalating humanitarian crisis. In most cases, the processes of planning and organizing humanitarian relief were neither linear nor standardized. Furthermore, upon embarking on their humanitarian journey, most respondents believed the war would not

last longer than a couple of months, but as the crisis went on, it became increasingly difficult to manage stakeholder expectations, their level of ambition and available resources.

Apart from aid, other responses focused on digital information campaigns about the evolving situation in Ukraine. A diaspora civic organization from Zurich expanded a pre-existing transnational partnership with other Romanian associations based in the United Kingdom and France, and launched a series of Ukraine-focused podcasts, inviting policy experts and academics to share opinions across various social media channels. Civically active diaspora organizations, already embedded in a culture of political protest and transnationally attuned to human rights issues, were also the most digitally active. One respondent mentioned a partnership with Belarusian civic organizations from Switzerland during their recent protests (May 2020–March 2021). From a humanitarian perspective, transnational civic alliances between diasporic grassroots groups were quite effective in raising the salience of human rights issues on public agendas. By means of petitioning and even protesting, the same organizations also coalesced to pressure home and host country governments to commit aid for Ukraine, while adopting a more radical stance towards the Russian Federation. Such a participatory approach was largely indicative of Eastern and Central European diasporas.

By geographical reach, three types of partnerships characterized diasporic relief ecosystems: in home and host countries and Ukraine. Some partnerships were already in place, including personalized channels of cooperation and person-to-person networks, which enabled diaspora organizations to effectively set up humanitarian corridors within a matter of days. By scope, partnerships encompassed logistics,

warehouse and storage space, crowdfunding, donation appeals and humanitarian corridors (see Figure 1). Table 1 synthesizes which types of actors were involved in the relief ecosystem at every stage. To overcome limited resources and organizational capacity, diaspora associations pursued a vast outreach, engaging businesses, the civil society sector and institutions, including local parishes from various religious denominations.

Table 1. UK-based diaspora humanitarian ecosystems

	Scope	Type	
Home country	Aid beneficiary	Academic institution	1
		Humanitarian hub	1
		Religious institution	1
	Distribution partnership	NGO	1
	Humanitarian corridor	Local institution	4
Host country	Crowdfunding partnership	Diaspora community association	2
		Diplomatic representation	1
		Local institution	1
		NGO	1
		Religious network	1
		Ukrainian diaspora organization	1
	Donor	Business cluster	4
		Hospital	1
		Local school	1
		Religiious institution	1
	Logistics partnership	Logistics company	2
	Operations partnership	NGO	1
	Storage partnership	Religiious institution	2
Ukraine	Aid beneficiary	Humanitarian hub	1
		Local institution	1
		Regional institution	1
		Religious institution	1

Source: Compiled by the authors and processed in Tableau Public.
Note: UK-based humanitarian ecosystem initiated by diaspora organizations, by general location, partnership scope and type of actors involved. The colour intensity suggests the number of actors.

For instance, the humanitarian ecosystem set up in Belfast first launched a crowdfunding appeal in partnership with a local charity to cover initial transportation costs, and then identified a logistics company willing to transport humanitarian supplies at cost. The Belfast Presbyterian Parish offered storage space, where individual donations would be collected, sorted and stored by local volunteers. In Romania,

the Belfast diaspora association partnered with a local NGO that already had warehousing space close to the border and a pre-existing partnership with a Ukrainian charity that provided lists of vetted humanitarian supplies and paperwork for distribution within Ukraine. Some Romanian volunteers from the Belfast diaspora association accompanied the shipment to the Romanian border. According to their testimonials, when the first shipment from Northern Ireland arrived by truck in Rădăuți (Romania), vans from Ukraine were already waiting to load the supplies and transport them to Chernivtsi, thus ensuring a swift distribution. The Romanian diaspora in Northern Ireland also partnered with Polish organizations for day-to-day warehouse operations.

The diaspora relief ecosystems set up in Wales and London followed a similar pattern, however, with a few notable differences. In London, Romanian community associations partnered with two Ukrainian diaspora organizations, using the same logistical company and warehousing space for storing material donations, thus consolidating capabilities. In Romania, the leading diaspora organization first established contact with local and regional administrations and a local NGO with whom they associated for distribution into Ukraine.

> This was the first step, ensuring that we have a humanitarian corridor in place for transportation into Ukraine. Suceava [close to the northern border] is my hometown, so I managed to liaise with Romanian authorities quite fast.
>
> — London-based diaspora coordinator

In Wales, the humanitarian ecosystem also included local hospital trusts that donated surpluses of medical equipment (such as hospital beds) and consumables, delivered through the same local networks to regional authorities in Odesa. The Romanian honorary consul mediated partnerships with local business clusters, which helped cover initial transportation fares and logistical operations. In terms of crowdfunding, the partnerships encompassed a core of five to ten diaspora associations that effectively disseminated the call to their distributed networks, mainly by cross-posting on social media channels. Cumulated, approximately 26 truckloads of humanitarian supplies were successfully delivered in Romania and/or Ukraine through these ad hoc diaspora networks (Northern Ireland, Wales and Greater London) in a month's time span. Given the grassroots nature of these community initiatives, delivering humanitarian relief in a conflict zone without prior experience is an accomplishment. However, while acting as first responders, diaspora organizations also faced significant limitations in pursuing a humanitarian path and operationalizing their partnerships on the long term.

Figure 3. Diaspora humanitarian ecosystems by scope and location

- *Compiled by the authors using a unique relational dataset*
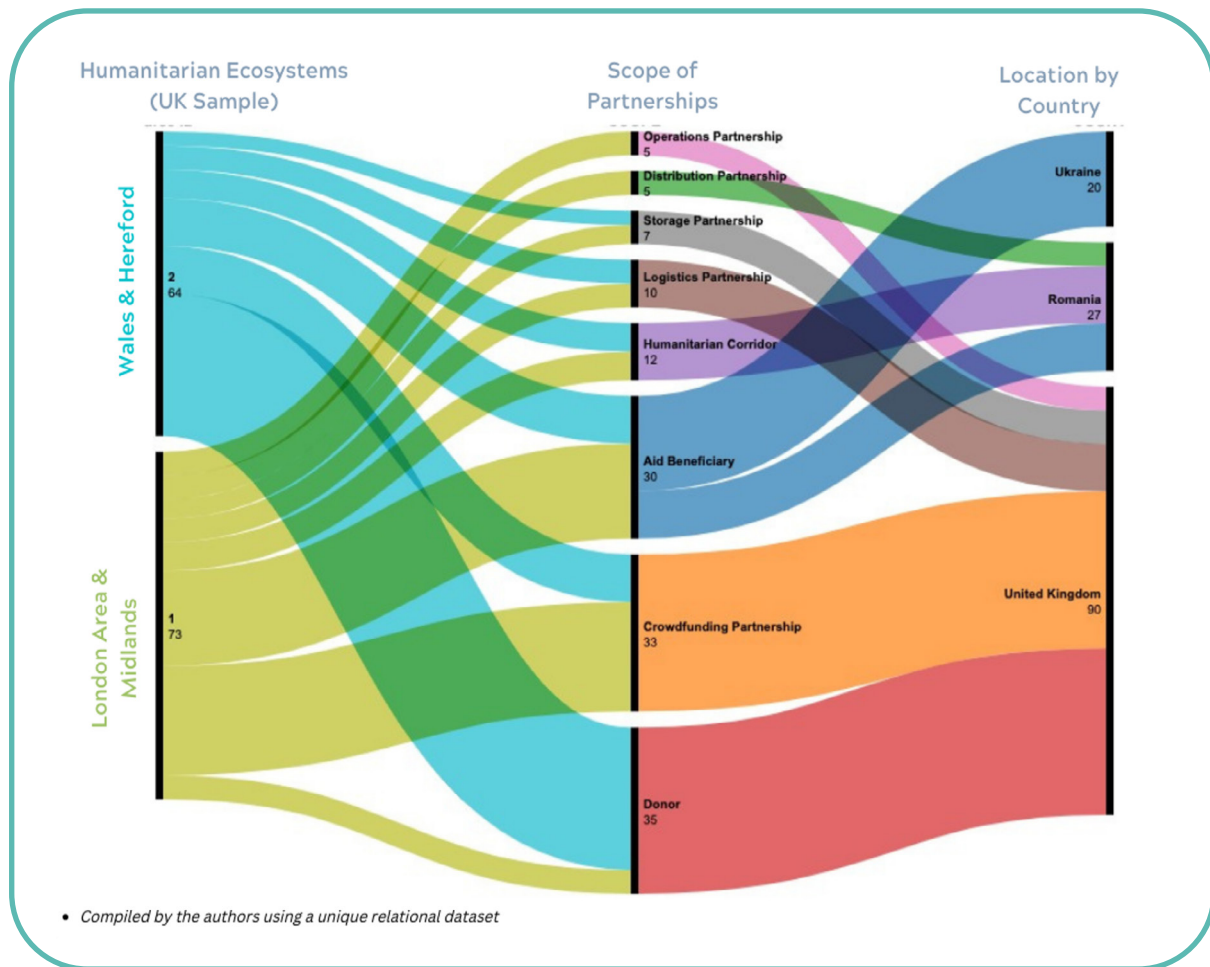
Source: Relational data set compiled by the authors and processed in Plotly.
Note   Sample of two UK-based humanitarian ecosystems, initiated by diaspora organizations analysed by scope of partnerships and location (country).

Limitations

Relatively short lifespan

The four diasporic humanitarian ecosystems (Switzerland, Northern Ireland, Wales and Greater London) could not be sustained in the long term (active between February and April 2022). The lack of workforce (that is, volunteers) proved to be a significant challenge for the day-to-day operations of receiving, sorting and packaging donations. The warehouses and storage spaces could only be secured for a limited period because local businesses and religious parishes had to resume their activities, while "constantly moving whenever a space became available was simply untenable", as reported by the diaspora associations in Belfast and London. Securing logistical equipment (such as pallets and forklifts) also proved challenging for most organizations.

Humanitarian fatigue

In most cases, the operating model relied on individual and public donations of various supplies, such as clothing items and sanitary products, which had to be stored, sorted and packaged almost around the clock by handfuls of volunteers. Additionally, without contextual knowledge about humanitarian crises, the very nature of giving proved extremely challenging.

Most diaspora associations reported receiving heaps of unusable items, which had to be discarded, with some patrons even taking back donated items for various reasons. Others proved to be lazy donors who expressed a willingness to give but would not travel short distances to the collection hub.

Adversity and community contestation

All diaspora associations involved in humanitarian relief reported various forms of adversity from within their communities and a lack of understanding as to why they would help others and not Romanians in need. In the United Kingdom, some contestation emerged from other migrant communities, disenchanted with the level of mobilization in support of Ukraine, compared to the myriad humanitarian crises affecting other parts of the world.

Ensuring end-mile delivery

Diaspora humanitarian ecosystems proved somewhat limited in their capacity to control end-mile delivery in Ukraine. Most relied on partnerships with one local charity based in bordering regions (in Chernivtsi and Odesa), which did not necessarily have the capacity or willingness to distribute aid where it was needed the most, particularly in conflict-torn areas.[10] Local charities in Odesa corroborated the fact that aid delivered at the border with Poland or Northern Romania (Suceava) would not necessarily reach the southern regions, thus breaking the chain of distribution. In such circumstances, the affective component (such as family ties and ethnocultural identification) motivating aid somewhat acted as a limiting factor, because it superseded operational and situational knowledge of humanitarian needs on the ground.

Conclusions and policy implications

Viewed as a whole, diasporic humanitarian responses fit the whole-of-society approach advanced by the Global Compact for Safe, Orderly and Regular Migration. In this sense, the Global Compact for Migration promotes broad multi-stakeholder partnerships, including among others, diasporas. The role and contributions of diaspora organizations towards sustainable development are acknowledged throughout the Resolution (that is, awareness-raising events and training, establishing community centres and programmes and others). Moreover, the signatories commit to empowering diasporas to contribute towards research, policymaking, entrepreneurship, as well as philanthropic and humanitarian engagement.[11]

While the humanitarian role of diasporas is nominally acknowledged in programmatic documents such as the Global Compact for Migration, it is believed there is still much scope in further implementing those tenets and fostering a more inclusive approach towards diaspora organizations, particularly in humanitarian settings.

Diaspora associations, whether civic or community-oriented, can indeed act as effective humanitarians, through the resilient networks and partnerships that they successfully forged in response to the humanitarian crisis in Ukraine. The impact of diasporic relief can be bolstered through more effective coordination, humanitarian know-how and standardization of practices, particularly on how to organize logistical clusters. Moreover, participants unanimously reported that they are willing and

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[10] Three semi-structured interviews conducted in Odesa, with local NGOs and humanitarian hubs (July–August 2022).

[11] The Global Compact for Migration document supports unequivocally in its objectives (Objective 19, point f) the engagement of diasporas "especially in humanitarian emergencies" (United Nations, Global Compact for Safe, Orderly and Regular Migration, Resolution adopted by the General Assembly on 19 December 2018 (A/RES/73/195):28).

motivated to further engage in humanitarian efforts despite the hardships they encountered, because such contributions confer a sense of purpose. Therefore, the policy implications that follow build upon existing humanitarian strategies, realities on the ground and lessons learned from diaspora associations.

(a) **Improved access to conceptual debates**: The international humanitarian community can and should facilitate the access of diaspora organizations in ongoing policy and conceptual debates regarding humanitarian assistance. This can become a pathway to ensuring that even non-conventional actors adhere to humanitarian standards.

(b) **Continuous learning**: Collaboratively, policy and decision-making bodies can expand the scope of humanitarian education to include diasporas through online training, open-source user guides and workshops, thus building upon the trove of lessons learned.

(c) **Grassroots humanitarian intelligence**: Similar to the Global Diaspora Humanitarian Hub approach, diaspora organizations can and should be able to provide in-depth situational knowledge and in-country expertise so that humanitarian agencies can better inform, map and respond to humanitarian crises. To this end and in line with the Global Compact for Migration approach, knowledge of emerging ad hoc humanitarian ecosystems may become an asset for international humanitarian actors wishing to enhance and diversify response capabilities.

(d) **Trust-building**: A more effective engagement is likely to maximize the due diligence and donations management capabilities of diaspora organizations.

Based on the research, most grassroots associations involved in humanitarian assistance reported mistrust regarding the transparency and distribution of funds raised by international agencies and international NGOs. Therefore, clusters of diaspora organizations engaged in relief efforts set up various mechanisms by which their work and impact become more accessible to the wider publics: end-to-end humanitarian campaigns (from crowdfunding/crowdsourcing of aid to end-mile delivery), including custom-made content planning (targeted by countries of origin and destination); logistics (that is, a tracking system to ensure safe and transparent distribution to end users), as well as monitoring and evaluation.

(e) **Redistribution of surplus**: For grassroots, understaffed diaspora organizations coordinating the entire spectrum of relief provision is extremely difficult in the long term. To enable, encourage and empower sustained humanitarian contributions from non-conventional actors, humanitarian agencies and international NGOs can transparently redirect the surplus of aid to those organizations capable of coordinating end-mile delivery (collaboratively).

(f) **Swift mobilization and lean operational models**: Apart from being transnationally embedded, diaspora organizations also have extended networks of cooperation that render them capable of providing swift responses to (humanitarian) crises that transcend borders. The collaborative partnerships approach diaspora organizations usually take also involves a lean, less bureaucratic operational model that enables them to mobilize resources in a timely manner.

Well-being and intention to stay: A regional approach to the retention of highly skilled migrants in the Kingdom of the Netherlands

Camilla Spadavecchia[1]

Introduction

The shortage of skilled labour and the global competition for highly qualified employees have challenged international, national and local governments across the globe to attract and retain highly skilled migrants (HSMs). As those migrants seem to be more attracted by the regions rather than countries,[2] it is relevant to focus on local governments and their strategies for attracting and retaining them.

Furthermore, since migrants often leave their homes searching for a better life, analysing their subjective well-being can indicate whether they achieve this goal.[3] Nevertheless, research on HSMs' well-being in the destination region and their intention to stay is still scant.[4] Moreover, migrants who do not migrate for labour-related reasons are more vulnerable to progressive deskilling, loss of confidence and autonomy.[5]

Against this background, this article investigates how well-being-related factors influence the intention to stay of two groups of HSMs: those who moved for job-related purposes (HSMs-J), and those who migrated due to their partner's trajectory (HSMs-L).[6]

The study focuses on the Eindhoven Region, also known as Brainport Eindhoven, a technical hub of the Kingdom of the Netherlands and the third core economic area of the country, alongside Amsterdam and Rotterdam.[7]

The research is based on a mixed-method approach, including semi-structured interviews and surveys to five groups: (a) HSMs-J; (b) HSMs-L; (c) big companies; (d) small- and medium-sized enterprises (SMEs); and cultural

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2. International Community Platform, "Global talent. Regional growth. Working towards an integrated attraction and retention plan for the Metropolitan Region The Hague/Rotterdam", Research report (2016).

3. IOM, *World Migration Report 2013: Migrant Well-being and Development* (Geneva, 2013).

4. Anu Kõu, Leo van Wissen and Ajay Bailey, "More than brains only: The life course of highly skilled migrants", *DEMOS*, 26:10–12 (2010); Anu Kõu, Leo van Wissen, Jouke van Dijk and Ajay Bailey, "A life course approach to high-skilled migration: Lived experiences of Indians in the Netherlands", *Journal of Ethnic and Migration Studies*, 41(10):1644–1663 (2015); Núria Vergés Bosch and Ana M. González Ramos, "Beyond the work-life balance: Family and international mobility of the highly skilled", *Sociología y Tecnociencia/ Sociology and Technoscience*, 3:55–76 (2013); Camilla Spadavecchia and Jie Yu, "Highly-skilled migrants, gender, and well-being in the Eindhoven Region: An intersectional analysis", *Administrative Sciences*, 11(3):72 (2021).

5. Yvonne Riaño, "Drawing new boundaries of participation: Experiences and strategies of economic citizenship among skilled migrant women in Switzerland", *Environment and Planning A: Economy and Space*, 43(7):1530–1546 (2011); Marit Aure, "Highly skilled dependent migrants entering the labour market: Gender and place in skill transfer", *Geoforum*, 45:275–284 (2013); Trine Fossland, "Crossing borders – getting work: Skilled migrants' gendered labour market participation in Norway", *Norsk Geografisk Tidsskrift (Norwegian Journal of Geography)*, 67(5):276–283 (2013); Sue Webb, "The feminisation of migration and the migrants VET policy neglects: The case of skilled women secondary migrants in Australia", *Journal of Vocational Education and Training*, 67(1):26–46 (2015); Rujeko Samanthia Chimukuche, "The 'accompanying spouse dependent visa status': challenges and constraints faced by Zimbabwean immigrant women in integration into South Africa's formal labour market" [Doctoral dissertation], University of KwaZulu-Natal, South Africa (2019); Spadavecchia and Yu, 2021.

6. Immigration and Naturalisation Service (IND), Highly skilled migrants residence permits requirement (accessed 6 October 2022). Furthermore, in this study, highly skilled migrants (HSMs) are identified by the education criterion. Therefore, they are defined as migrants entering the country with (at least) a bachelor's degree obtained in a third country.

7. Organisation for Economic Co-Operation and Development (OECD), *Innovation-driven Growth in Regions: The Role of Smart Specialisation* (Paris, 2013).

institutions.[8] Finally, the article provides recommendations to the local government and some related agencies (such as the Holland Expat Center South and Brainport), SMEs, big enterprises, cultural institutions and health institutions.

Brainport Eindhoven

Brainport Eindhoven is the tech heart of North Brabant, a critical province for the country's high-tech economy. Being at the core of the manufacturing and high-tech industries, a quarter of research and development investments in the Kingdom of the Netherlands are done in this region, whose economy continues to grow faster than national growth. The region consists of Eindhoven and 20 surrounding municipalities, and its population comprises 780,611 inhabitants, with about a third (235,691) located in the City of Eindhoven. Finally, about a third of the Eindhoven population includes international migrants (56,293), of which 29 per cent are HSMs.[9]

Well-being

Well-being is crucial for healthy and functioning societies. Studies on subjective well-being focus on people's perception of material conditions of their lives (such as income and wealth, jobs and earnings and housing conditions) and on the quality of life (such as health status, work-life balance, education and skills, social connections, civic engagement, governance and life satisfaction).

This study analyses which aspects of the subjective well-being of migrants living in a given region influence their intention to stay in the area. Well-being here is explored using previous well-being models,[10] exploratory interviews and literature on HSMs, global talent management, dual-career couples and women's migration. The result is a more inclusive approach to well-being, to which several dimensions not theorized in previous models have been added.[11] For instance, it adds the importance of family well-being and the relevance of perceived discrimination, the role of volunteering as a strategy in entering the labour market, and the perceived cultural vibrancy of the region (see Figure 1). Finally, all the areas of well-being have been analysed in terms of personal experience and relevance for HSMs' intention to stay.

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[8] In total, 20 HSMs participated in the semi-structured interviews, and 530 participated in the surveys. There were 8 companies that participated in the semi-structured interview, and 57 participated in the survey. Finally, 2 cultural institutions participated in the semi-structured interview and 14 in the survey. Respondents were retrieved in several ways, especially with the help of regional agencies working with companies, cultural institutions and HSMs.

[9] Data about the inhabitants in the region are retrieved from Brainport Eindhoven, *Brainport Monitor 2020* (Eindhoven, 2020).

[10] IOM, *World Migration Report 2013* (Geneva); Martine Durand, "The OECD Better Life Initiative: How's life and the measurement of well-being", *Review of Income and Health*, 61(1):1–17 (2015); Martin Seligman, "PERMA and the building blocks of well-being", *The Journal of Positive Psychology*, 13(4):333–335 (2018).

[11] Spadavecchia and Yu, 2021.

Figure 1. Well-being areas and dimensions

Well-being areas	Well-being dimensions per each area							
Job and career	Career goals	Career advancement	Work environment	Perceived discrimination	Culture of the company	People in the company	Career opportunities in the region	Volunteering
	Work-life balance	Alignment between education and job	Satisfaction with current job position and characteristics	Opportunity to grow in skills and knowledge	Sense of meaning	Sense of achievement	Barriers to finding a job in the region	
Economic well-being	Level of satisfaction with the current economic situation				Saving possibilities			
	Satisfaction with current salary				30 per cent economic facility			
Community	Safety	Trust in the government and local institutions		Civic and political engagement	Volunteering	Culture of the region/country	Possibility of keeping own cultural tradition	
	Geographical location	Leisure time and cultural vibrancy of the region		Housing		Services in the region	Services for families	
Health	Overall personal health evaluation				Perception of the Dutch health system			
Social well-being	Social connections in the region		Transnational social connections		Sense of belonging			
Family well-being	Partner's well-being (all areas explored)				Family well-being in the region			

Source: Author's elaboration.

Challenging the idea of highly skilled migrants as solely "human capital"

HSMs tend to be seen as a homogeneous and privileged group of migrants that every country in the battle for the best and the brightest wants to attract and retain. Policymakers and companies often consider them solely as human capital or brains whose main task is to contribute to the national and regional economy. Nevertheless, HSMs are full-fledged individuals with specific needs and ambitions beyond good salaries and economic benefits. When their overall well-being is not considered in the design and implementation of retention policies, the risk of those policies failing is exponentially high.

In this context, this article looks at the room for improvement in the retention of HSMs in Brainport Eindhoven by primarily looking at their well-being and intention to stay. Further, as mentioned in the introduction, it does so by looking at two subgroups: those who entered through a skilled migration scheme and those who entered the country to follow or join their partner. Understanding the differences in the well-being of those two groups of migrants will help design sensible policies and strategies to improve their retention in the regions.

Similar education, different outcomes

The results of this study show that the two groups of HSMs tend to have a similar educational background, as most of them hold a master's degree in related fields of science, technology, engineering and mathematics; and in terms of origin, as most of them come from the same countries (mainly India, Türkiye, the European Union and other European countries, and also other Asian and American countries). Nevertheless, most HSMs-J (84%) have a job, while most HSMs-L (80%) do not.

Most respondents want to work in a profession where they can grow in knowledge and skills and advance in their careers. Nevertheless, most HSMs-L face several barriers in accessing the Dutch labour market, among which the lack of language skills and social connections (social capital) are prominent. Other barriers are as follows: (a) perceived lack of work opportunities in the region (HSMs-L tend to have a more diverse background also within the science, technology, engineering and mathematics field than the HSMs-J; so, for instance, some have a chemical background that is not much required in the region); (b) companies' preference for Dutch over international candidates; and (c) challenges in managing family and job-searching activities.

Volunteering jobs: Are they a good opportunity?

Due to the challenges encountered in finding a job, several HSMs-L recurred to volunteering jobs with the hope that this would help them enter the labour market. In these cases, results show that volunteering is a complex experience. On the one hand, volunteering improves respondents' subjective well-being, especially regarding engagement, relationships and meaning. On the other hand, several issues arise when volunteering is used to get access to the labour market. First, the cases in which direct hiring follows the volunteering period are almost zero; second, in several cases, respondents felt that volunteering was the opportunity for the organizations to get their job and professional skills for free.

Further, about 30 per cent of HSMs-L had been connected to volunteering jobs by intermediary organizations (such as foundations for expatriates). In those cases, several respondents felt that those organizations were doing business with companies by offering them their professional skills for free.

Big corporations or small- and medium-sized enterprises?

Most HSMs-J work for big companies, while SMEs employ most HSMs-L. This is a relevant difference, as big companies have a global talent management strategy, provide an international work environment, high salaries, economic benefits, and opportunities to gain skills and career advancement possibilities that are difficult to match by SMEs.

Some SMEs have already started their internationalization (in terms of business and labour market). Still, many have yet to start this process, which is very costly for small-size companies. Costs in this respect go beyond the fee to become a sponsor under the Immigration Law and include, for instance, setting up an English-speaking environment and offering organizational support services for the employees and their families. This impacts the SMEs' potential to attract and retain HSMs.

HSMs-L working for SMEs have a higher intention to leave the company than HSMs-J working for big companies, and what most attracted them to work for those companies is the possibility to start working in the Kingdom of the Netherlands rather than the interest in the work they were applying for. This extrinsic motivation, together with the temporality of their work contract and their willingness to grow in skills and advance in their career, motivates many HSMs-L to leave the companies they work for.

Good work-life balance in the region, but a relatively high level of perceived discrimination

Respondents who are employed are overall satisfied with their work-life balance, work conditions and company culture. Nevertheless, people are also willing to explore other companies in and outside the region.

Perceived discrimination is significant in the region, especially considering that the respondents are migrants whose salary is way above the national average wage. Most people in both groups believe that management positions are reserved for Dutch (male) nationals. Almost half of the respondents in both groups encounter cultural and language barriers, and 25 per cent of HSMs-J and 36 per cent of HSMs-L perceive that they must work twice as hard as their Dutch colleagues to receive the same recognition. Regarding gender, HSMs-L perceive higher gender-based discrimination than HSMs-J. For instance, a third of HSMs-L and 10 per cent of HSMs-J are aware of any salary gap between male and female employees in their company.

Safe, good for families and well located, but not a highly vibrant region.

Most respondents feel safe in the region, which positively influences the intention to stay, especially for those moving from areas with conflict or high violence levels. Furthermore, most people mention that they trust the national and local governments, but this trust does not seem to influence their intention to stay or to leave. Other highly appreciated elements are the region's strategic location for travelling within and outside the country and the transport system. Furthermore, Brainport Eindhoven is seen as a good region to raise kids, with several services for them and many parks and leisure activities for kids. Nevertheless, parents are not highly satisfied with the school system (including day cares and kindergartens). The critical issues encountered are the high costs of daycares and after-school services, their lack of understanding of how the system works, and cultural differences acting as barriers between parents and schools.

Furthermore, people are satisfied with the number of cultural and leisure time venues. Still, they are dissatisfied with the attractiveness and

variety of the events and shows proposed by the cultural institutions. This is also reflected in the challenges those institutions face in attracting an international audience. This dissatisfaction is higher for the younger population (without kids) and influences their intention to leave the region. Finally, most people live in rented houses and are highly dissatisfied with the housing market.

Highly skilled migrants are in good health but do not like the health system.

Most respondents are satisfied with their health conditions but have several complaints regarding the Dutch health-care system. They complain about the services' costs (especially the health insurance), the length of waiting lists, the lack of information on how the system works, and the cultural sensitivity of health-care providers.

Socially connected but with a low sense of belonging.

Most people have relevant social connections in the region, especially with other migrants and, in several cases, with their co-nationals. Relationships with Dutch people are few, and most people mentioned the willingness to have more spontaneity for social activities. Furthermore, despite the social interactions, most respondents experience a low sense of belonging, which strongly influences their intention to leave.

In the end, what makes people stay or leave?

Most respondents are satisfied with the quality of their lives in the region and their (and their families') well-being. Nevertheless, only about 10 per cent of them intend to stay for longer than five years, while most are undecided or willing to stay less than five years.

Playing a crucial role in HSMs' intention to stay or to leave are (in order of importance) the family's well-being, personal and partner's job and career, economic well-being, social connections (in terms of a low sense of belonging), and safety. A few people mentioned the low cultural vibrancy and dissatisfaction with the health system influencing their intention to leave.

Implication for policies

Retention of migrants is not only a company or a national matter but also a local issue. In this framework, it is important to acknowledge that a good environment favouring the retention of HSMs results from the cooperation of several stakeholders, and policies should be implemented at all levels. Nevertheless, this study focuses mainly on the local level; therefore, recommendations will be principally addressed to the local government.

Local governments are central in creating a favourable environment for the migrants, companies and cultural institutions in the region. Their work should include actions directly supporting HSMs, companies and other institutions in the region, as well as strategies for awareness-raising about the issues encountered by migrants.

For instance, they should:

- Support SMEs in the internationalization of their workforce;

- Raise that awareness among companies, especially SMEs, about the need for global talent management and cultural diversity policies (to increase the HSMs' intention to stay in the companies and reduce the level of perceived discrimination);

- Raise awareness, among companies, of the importance of providing career support services for the partners of HSMs-J hired by the companies, as the partner's career opportunities are fundamental for HSMs-J intention to stay in the region;

- Provide career support services to the HSMs-L in the region;

- Local governments and the labour inspectorate should also create tools to control and reduce the risks of exploitation of HSMs-L by companies and intermediary agencies offering them volunteering jobs;

- Regarding social connections, agencies of the local governments and companies should create social cohesion by favouring bottom-up approaches;

- Promote their region as a safe area;

- Provide information to HSMs on how the country's school and health systems work;

- Create awareness among health providers on the issues encountered by migrants and support them in managing cultural diversity.

Health providers should:

- Consider exploring the needs of their international audience and providing support to them;

- Provide information about how the health system works;

- Health providers should be trained in cultural diversity management.

Cultural institutions should:

- Examine the needs of HSMs and work with them (such as migrant groups) to develop programmes that are also attractive to them.

Companies:

- SMEs should start creating a more robust international environment if they want to compete with big companies to attract and retain HSMs.

- Companies should better explore the needs of their global employees, improve their diversity policies and practices, and start targeting HSMs-L in their recruitment strategies.

- Companies should provide career support services for the spouses of their international employees.

Indigenous international migration: Policy challenges and lessons learned from the Venezuelan movement to Brazil

Marcelo Torelly, Jennifer Alvarez and Debora Castiglione[1]

ABSTRACT

Since 2017, more than 8,000 indigenous people migrate from the Bolivarian Republic of Venezuela to Brazil, constituting one of the largest movements of its kind recorded in Latin American recent history. Policies for indigenous migrants are rather different from those provided to other international migrants in vulnerable situations, including asylum-seekers and refugees. This article analyses the policy implications of this migration movement using primary data collected in 2021 in a Displacement Tracking Matrix (DTM), with 3,329 indigenous migrants and refugees from 7 indigenous ethnicities. Following a brief review of the domestic and international normative frameworks where this flow takes place, the main data available are presented, the core policy challenges identified are assessed and the answers provided by the government, civil society and international organizations, concluding with lessons learned and policy advice to build rights-based and culturally sensible durable solutions to this population. This case study fills a gap in the literature regarding migration law and policy that lacks substantive assessments on how to deal with indigenous people on the move across international borders, including the challenge of harmonizing indigenist and migration policies to achieve transversal human rights protection.

Introduction

The recent movement of indigenous people from the Bolivarian Republic of Venezuela to Brazil presents a set of challenges to migration public policy. Although the internal migration of indigenous people is a common trend, less attention has been paid to cross-border movements between countries. Among the few examples of international indigenous migration in Latin America that have been described are as follows: (a) the Purépecha from Mexico,[2] who took part in a temporary agricultural workers' programme in the United States of America (1960s); (b) the Maya from Guatemala (Jonas, 2013),[3] who fled to Southern Mexico and the United States during the Guatemalan civil war (1980s); (c) the Quechuas from Peru (1990s) and their migration movement to several European countries;[4] (d) the Otavalo from Ecuador (1990s) and their mobility strategies to different South American countries;[5] and (e) the Ngöbe-Buglé from Panama to Costa Rica (2000s).[6]

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[2] Paul Marr and Christopher Sutton, "Demographic changes in the Purépecha region of Michoacán, Mexico: 1970–2000", *Journal of Latin American Geography*, 3(1):52–66 (2004).

[3] Suzanne Jonas, Guatemalan migration in times of civil war and post-war challenges (27 March 2013, Migration Policy Institute).

[4] Leslie Nancy Hernández Nova, "The conquest in cultural memory – Peruvian migrants in Europe", in: *Transnational Perspectives on the Conquest and Colonization of Latin America* (Jenny Mander, David Midgley and Christie Beaule, eds.) (Routledge, New York and Oxon, 2019).

[5] David Kyle, "The Otavalo trade diaspora: Social capital and transnational entrepreneurship", *Ethics and Racial Studies*, 22(2):422–446 (1999).

[6] Carlos Borge, Migraciones indígenas em Centroamética. Ngöbes: Pueblo em movimento, *Ambientico* no. 149 (Febrero 2006).

The mobility strategies of indigenous people confront certain conventional assumptions in both the indigenist and migration fields. The indigenous movement from the Bolivarian Republic of Venezuela to Brazil is characterized mainly as urban; on the one hand presenting challenges to the traditional indigenist approach that associates indigenous people with rural territories, while on the other challenging traditional approaches that associate successful migration with assimilationist local integration, which has been criticized on theoretical and policy grounds for threatening the indigenous people's identity.[7] This article uses a data set produced by IOM Brazil to identify policy challenges, describe the normative framework for international indigenous migration and present the actions taken and lessons learned to strengthen migration governance. It promotes a rights-based approach that respects the autonomy, cultural identity and diversity of indigenous peoples in international migration processes.

Normative framework

In Brazil, the applicable normative framework for international indigenous migration rests on a triad of universal human rights, migration rights and indigenous rights, including both the relevant international instruments, such as the International Labour Organization's Convention no. 169 (on self-determination and consultation rights)[8] and domestic law. In this context, the main references in domestic law are the 1988 Brazilian Constitution, the Migration Law (Law no. 13.445/2017)[9] and the Refugee Law (Law no. 9.474/1997).[10] These normative frameworks grant equality of rights between nationals and non-nationals, indigenous and non-indigenous. Thus, indigenous migrants have protection equal to that of nationals, even though they are not explicitly mentioned in the Migration Law or Refugee Law.

In Brazilian domestic law, international indigenous migrants are explicitly mentioned only in non-statutory ordinances pertaining to regularization procedures for Venezuelans in Brazil, part of an ad hoc response to important challenges related to these groups and identified in the context of the humanitarian response to Venezuelan migration, coordinated by the Federal Government and with participation of institutions from the federal, State and municipal levels, with support from international organizations and civil society organizations. However, none of the constitutional articles or legislation dedicated to the rights of indigenous peoples or migrants imposes any limitation on the full enjoyment of rights by international indigenous migrants; in fact, the principle of non-discrimination explicitly prevents any curtailment of rights based on ethnicity or nationality. In the case of indigenous peoples who are international migrants, public institutions with mandated indigenist policies have been involved in the response but not taken a leadership role in supporting indigenous people moving from the Bolivarian Republic of Venezuela to Brazil. Articulating different sets of rights poses a significant challenge for practitioners and migrants alike.

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[7] United Nations, Expert Mechanism on the Rights of Indigenous Peoples, Indigenous peoples' rights in the context of borders, migration and displacement (A/HRC/EMRIP/2019/2/Rev.1) (15–19 July 2019).

[8] International Labour Organization, Indigenous and Tribal Peoples Convention, 1989 (No. 169).

[9] Government of Brazil, Migration Law (Law no. 13.445/2017).

[10] Government of Brazil, Refugee Law (Law no. 9.474/1997).

Collecting data on indigenous Venezuelans in Brazil

According to the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) Platform, since 2017, more than 8,000 indigenous people have migrated from the Bolivarian Republic of Venezuela to Brazil. Among them, the Warao ethnic group stands out as both the most numerous and the most acutely vulnerable. The Warao come from a vulnerable background in the Bolivarian Republic of Venezuela, and migrate in large groups largely composed by elderly people, pregnant women and children.[11] Additional challenges to their migration include exposure to fraud related to their migratory regularization and difficulties in guaranteeing culturally sensitive shelter and maintaining continuous health care especially prenatal care and treatment of tuberculosis.[12] While the Warao are the most visible group in this migration context, they are far from being the only one. Migrants from the Baniva, E'ñepá, Ka'riña, Pemón, Wayuu and Ye'kwana peoples, among others, have also participated in the Venezuelan flow to Brazil.[13]

When Warao families first arrived at the northern border between Brazil and the Bolivarian Republic of Venezuela, there was limited knowledge about this group and no methodology to produce and systematize data about them and their specific needs. In 2021, IOM collected a comprehensive set of quantitative primary data about indigenous migration to Brazil from a DTM that covered 3,319 indigenous Venezuelans in three regions of the country: North, North-East and Midwest.[14]

The vast majority of the participants in the study self-identified as Warao (68.4%), followed by Pemón as the second-largest group (22.4%) (Table 1). The Warao are one of the largest ethnic groups in the Bolivarian Republic of Venezuela, with their traditional territories located around the Amacuro River, particularly in the river delta. Throughout the twentieth century, they engaged in internal migration processes within the Bolivarian Republic of Venezuela due to various factors, such as the environmental impact of development projects on their traditional territories, including flooding and salinization of land.[15] The Pemón's traditional territories cross the Brazil–Bolivarian Republic of Venezuela border; thus, they have a well-established tradition of frequent border crossing.

[11] IOM, *Matriz de monitoramento de deslocamento (DTM) nacional sobre a população indígena migrante e refugiada Venezuelana* (IOM Brazil, Brasilia, 2021).

[12] IOM, *Durable Solutions for Indigenous Migrants and Refugees in the Context of the Venezuelan Flow in Brazil* (Elaine Moreira and Marcelo Torelly, eds.) (Brasilia, 2020).

[13] IOM, 2021; Inter-American Commission on Human Rights and Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V), National Roundtables of Consultation with Venezuelan Indigenous Peoples 2021 (Brazil, 2022).

[14] IOM, 2021.

[15] IOM, *Legal Aspects of Assisting Venezuelan Indigenous Migrants in Brazil* (Erika Yamada and Marcelo Torelly, eds.) (Brasilia, 2019).

Table 1. Distribution of study participants by region and ethnic group

Region	Grouping	Baniva	E'ñepá	Ka'riña	Pemón	Warao	Wayuu	Ye'kwana	Others*	Total
North	People	1	99	10	747	1 951	4	17	151	2 980
	Families	0	25	1	136	497	0	1	14	674
	Multi-ethnic families**	0	2	2	0	33	2	0	28	67
	Groups	0	1	0	4	57	0	0	0	62
	Multi-ethnic groups**	0	0	1	2	3	0	2	2	5
North-East	People	0	0	0	0	146	0	0	5	151
	Families	0	0	0	0	32	0	0	0	32
	Multi-ethnic families*	0	0	0	0	2	0	0	2	2
	Groups	0	0	0	0	15	0	0	0	15
	Multi-ethnic groups**	0	0	0	0	0	0	0	0	0
Midwest	People	0	0	0	0	181	0	0	16	197
	Families	0	0	0	0	50	0	0	0	50
	Multi-ethnic families**	0	0	0	0	0	0	0	0	0
	Groups	0	0	0	0	9	0	0	0	9
	Multi-ethnic groups**	0	0	0	0	0	0	0	0	0
National total	People	1	99	10	747	2 278	4	17	172	3 328
	Families	0	25	1	136	579	0	1	14	756
	Multi-ethnic families**	0	2	2	0	35	2	0	30	69
	Groups	0	1	0	4	81	0	0	0	86
	Multi-ethnic groups**	0	0	1	2	3	0	2	2	5

Source: IOM, 2021:38.
*Notes:* *People declared as non-indigenous and mestizos were categorized as others.
     ** Multi-ethnic families and groups do not add up on the line, as each family/group has more than one ethnicity.

The arrivals in Brazil of the Venezuelan indigenous families who participated in the study showed a steady, accentuated increase in 2014–2019 and peaked in 2019 with the arrival of 265 families (Figure 1). This number then decreased in 2020 and rose again in 2021, possibly due to the COVID-19 pandemic.

Figure 1. Years of arrival of study participants by ethnicity
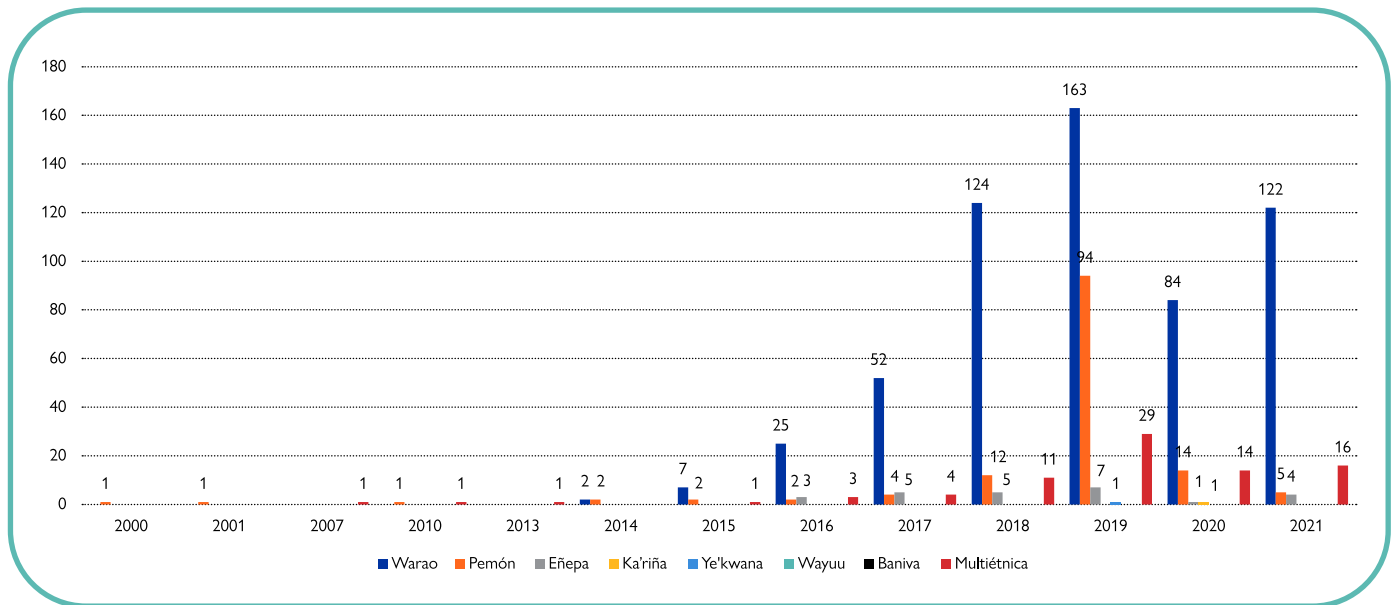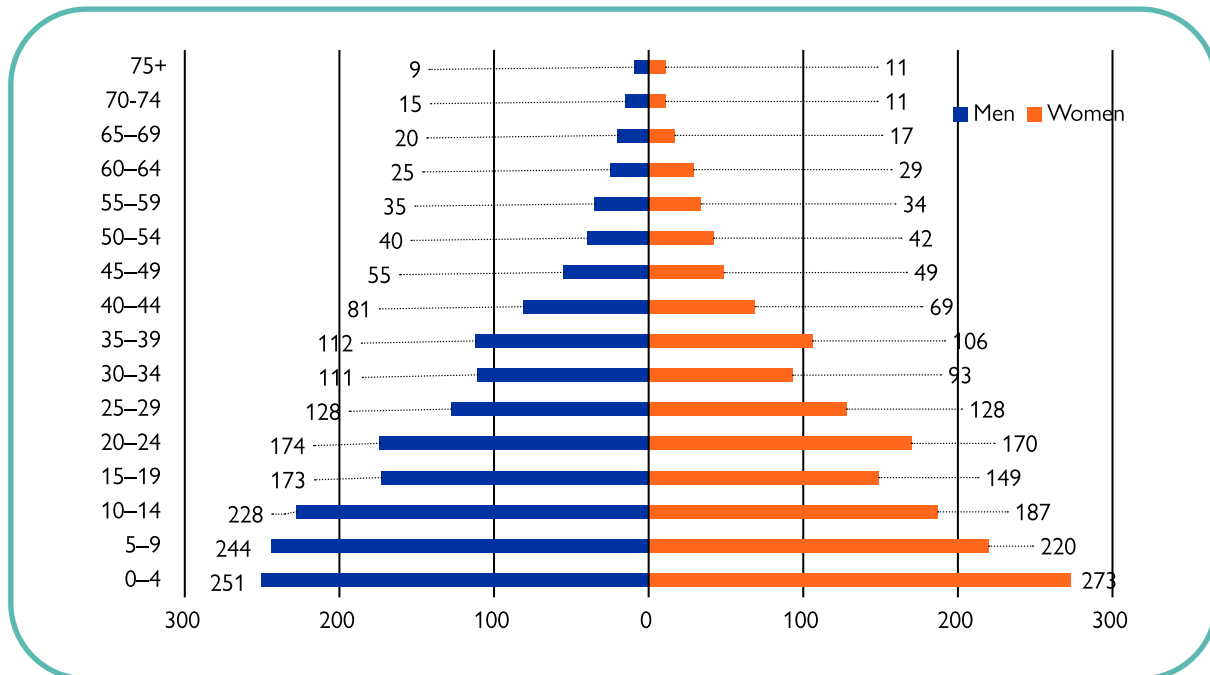

Source: IOM, 2021:44.

Demographically, this population is very young, with 42.6 per cent being children aged 14 or less. Thus, one important area of concern in assisting this population is the specific demands of indigenous migrant children, including access to indigenous-specific education, in line with General Comment no. 11 of the United Nations' Committee on the Rights of the Child.[16]

This is not a small challenge since pedagogical strategies to ensure the indigenous-specific education of migrant children in an urban context have yet to be developed. It is also notable that this population includes a small group of elderly migrants, with approximately 100 participants over the age of 65.

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[16] United Nations, Committee on the Rights of the Child (CRC), General Comment no. 11 (2009): Indigenous children and their rights under the Convention (CRC/C/GC/11), 12 February 2009.

Figure 2. Demographic pyramid of study participants

| Age	Men	Women
75+	9	11
70-74	15	11
65–69	20	17
60–64	25	29
55–59	35	34
50–54	40	42
45–49	55	49
40–44	81	69
35–39	112	106
30–34	111	93
25–29	128	128
20–24	174	170
15–19	173	149
10–14	228	187
5–9	244	220
0–4	251	273

Source: IOM, 2021:40.

Among this very young population, approximately 18 per cent of children aged 0 to 12 years were of Brazilian nationality, indicating that some might have been born in Brazil in the context of the migration movement of recent years (Figure 3). Access to Brazilian nationality follows the principles of *ius soli* and *ius sanguinis*, meaning that both children born in Brazil and those born abroad of Brazilian parents have access to nationality. However, significant obstacles remain to the birth registration of children born in Brazil from migrant parents due to issues, such as lack of knowledge about children's rights among migrants, civil registrars and other actors. Similar to local indigenous children, children born of indigenous migrant parents can face obstacles that are compounded by prejudice, by their parents' lack of documents and by challenges in communication.[17]

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[17] Barbara Coelho Barbosa Cunha, Declaração de idade em indígenas no Censo Demográfico de 2010 [Dissertation] (Fundação Oswaldo Cruz, Escola Nacional de Saúde Pública, Rio de Janeiro, 2014).

**Figure 3.** Nationality by age group
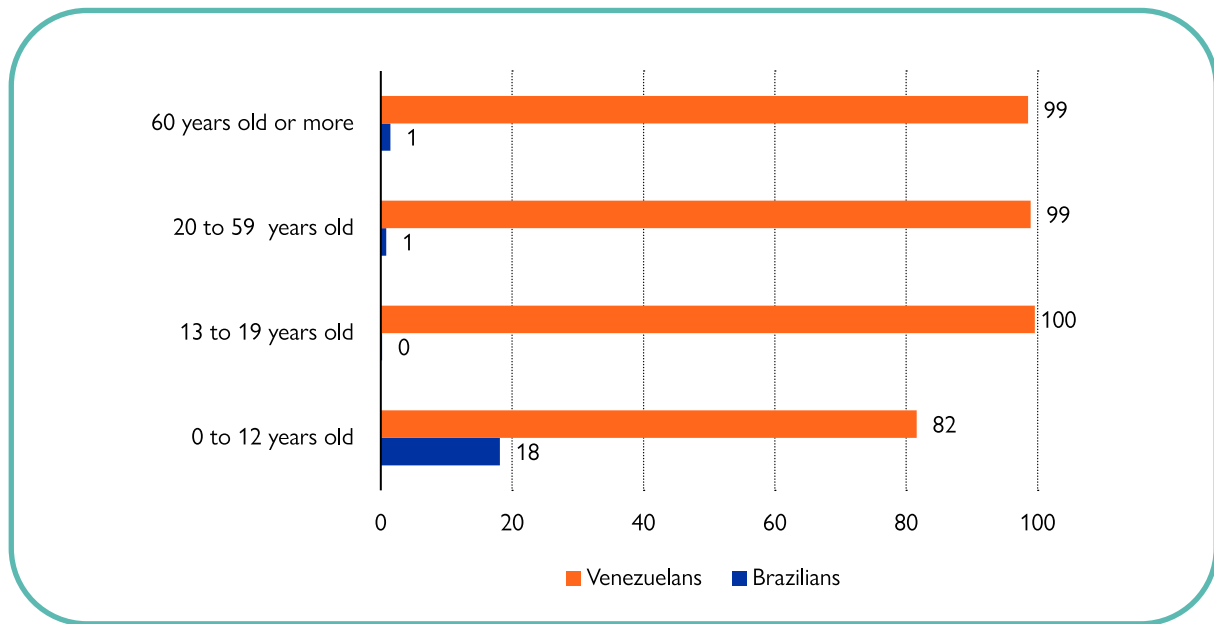
Source: IOM, 2021:50.

Families were also asked about their main reasons for coming to Brazil, with the option of reporting more than one reason. Job seeking and family reunification were among the main motivations, but they included other reasons, such as seeking medical attention and selling traditional craftwork (Figure 4). Although seeking a job ranked high among the motivations reported by indigenous Venezuelans, there are substantial challenges to their insertion into the local labour market. Some of these difficulties, such as formal recognition or even acknowledgement of their qualifications and experience in the local labour market, are shared by non-indigenous Venezuelans and migrants from other Latin American countries. Other obstacles, including language barriers and discrimination, can be aggravated for indigenous migrants.[18]

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[18] IOM, 2021.

**Figure 4.** Main reasons to come to Brazil
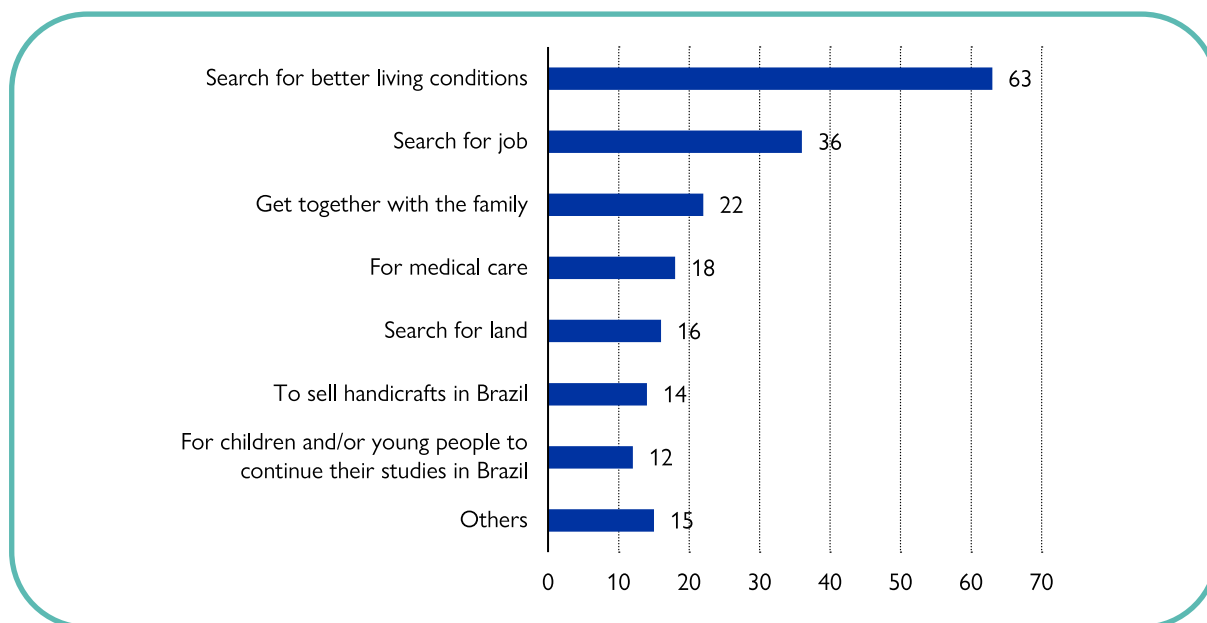
Source: IOM, 2021:46.

Obstacles in access to documents have appeared from the outset of the Venezuelan migration to Brazil and are particularly pronounced among Venezuelan indigenous people, since gaps in their access to documentation in the Bolivarian Republic of Venezuela hinder their access to regularization procedures in Brazil. Indigenous Venezuelans frequently had expired documentation (Figure 5), although having documents in order is a prevailing requirement in all modalities of the regularization process. Documents that were less likely to have expired included the National Fiscal Number (CPF) and National Migration Registry (RNM), which have longer expiration periods.

Figure 5. Access to documents among study participants
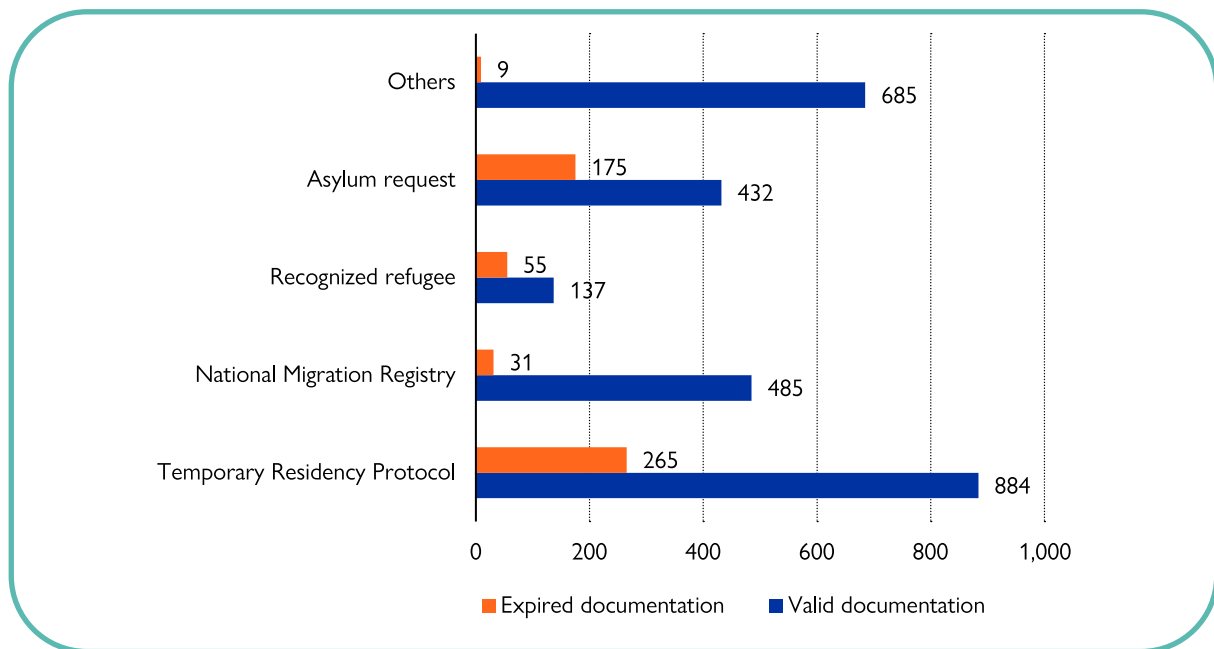
Source: IOM, 2021.
Note: Data extracted directly from the DTM database.

Challenges

The data presented highlight important challenges in the response to indigenous movement from the Bolivarian Republic of Venezuela to Brazil, some of which are specific to this movement, while others are generalizable to all international indigenous migration. Access to documentation, first-reception needs (such as shelter and nutrition) and economic integration have stood out as specific needs from the outset of the Venezuelan migration to Brazil.[19] According to IOM research, one striking characteristic of the Warao people is their continuous mobility pattern within Brazil and their periodic returns to the Bolivarian Republic of Venezuela (Figure 6).[20] Although this pattern is among their mobility strategies in the territory, it poses challenges for the provision of services, such as education and sheltering services that have been envisioned as essentially sedentary, and to their eventual status as refugees – as the Brazilian national authority demands recognized refugees to ask a formal authorization prior to returning to their homeland.[21]
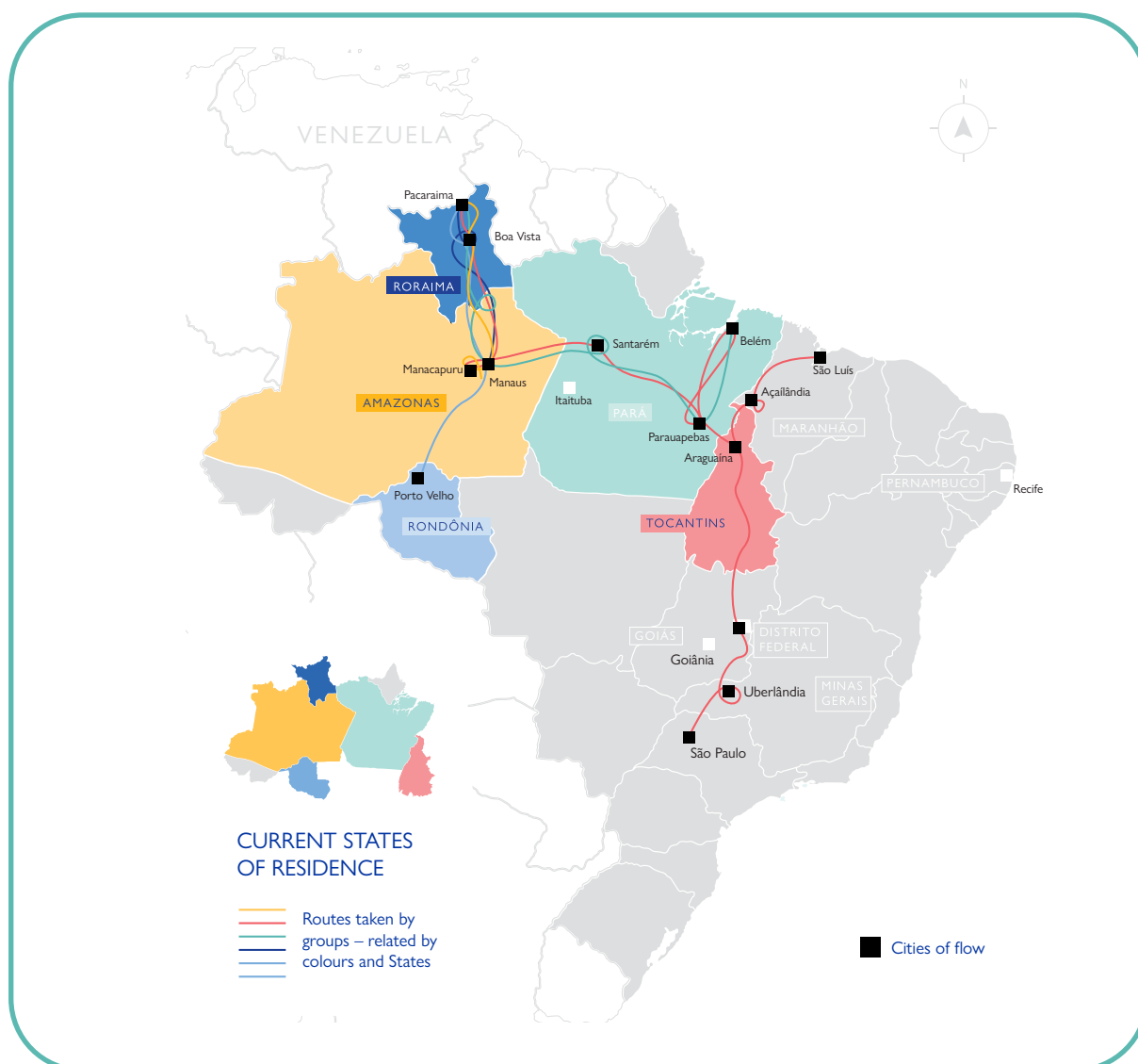
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[19] IOM, 2020.

[20] IOM, 2021.
[21] IOM, 2019.

Figure 6. Internal mobility of Warao families in Brazil

While some innovations have been devised for providing these services to a population on the move, important gaps remain. Among the challenges that have been highlighted in this context but can be generalized to other indigenous migration contexts are the provision of specific education and access to traditional health practices in host communities and along migration routes. Specific education and culturally sensitive health practices are widely recognized as rights of indigenous peoples in the maintenance of their identity and cultural transmission to subsequent generations. However, the provision of these services has often been associated with policies enacted in traditional lands, whether formally recognized or not. In an urban mobility context, granting those rights becomes a challenge, particularly when children are enrolled in regular schools and when medical care is provided in the general health-care system. Brazil has experience with providing specific health-care and education services to

local indigenous peoples,[22] and this expertise can be mobilized to deal with these specific needs of international indigenous migrants.

Actions taken and lessons learned

A few innovative solutions have addressed the specificities of indigenous peoples in the context of their movement from the Bolivarian Republic of Venezuela to Brazil. Good practices provide a possible blueprint for dealing with these issues in a broader context.[23] The cornerstone is the recognition and respect of the indigenous identity of migrants. Practical activities to foster this recognition include capacity-building initiatives for public employees and humanitarian workers.

Among the most significant innovations is the flexibilization of the documents required to apply for a temporary residency permit. Indigenous people from the Bolivarian Republic of Venezuela and other countries under the same regularization procedure (French Guyana, Guyana and Suriname) can apply for a residence permit with alternative official documents issued by their country of origin and can replace a birth or marriage certificate with a self-declaration (as per the Interministerial Ordinance 19 of 23 March 2021).[24] This flexibilization was effective in expanding access to residence permits even if it did not provide a solution for every case, since many indigenous Venezuelans have no documents whatsoever.

One important challenge has been incorporating the Warao's constant mobility into the humanitarian response by granting them access to rights and services without requiring sedentary practices such as settling into a territory. This contrasts with many traditional responses to mobility situations implying sedentary solutions. Dedicated indigenous shelters have been adopted, with culturally sensitive food provision and community kitchens for meal preparation, and Warao families commonly circulate among these shelters in different cities across the country. The Warao engage in intense mobility strategies that cover wide regions of the country, relying on their community and family networks.[25]

Policy implications

The case study and lessons learned address a gap in the migration law and policy literature, which lacks substantive assessments on how to deal with international indigenous migrants, including the challenge of harmonizing indigenist and migration policy to achieve transversal human rights protection. While a few of the above-mentioned specific initiatives tackle the issue, there are still significant challenges. One important issue is the need to expand the evidence base about indigenous migrants by improving data collection. The experience of the DTM survey, the data of which are the basis for this article, testifies to the advantages of collecting data.

A further policy implication of recognizing the international mobility of indigenous peoples is the recognition of their indigenous status and consequent granting of due protection of their rights not only as migrants but also as indigenous persons. This recognition has ramifications for institutional aspects and governance, for instance, by opening spaces of dialogue and engagement. It is vital to ensure that all government entities

[22] Anapaula Martins Mendes, Maurício Soares Leite, Esther Jean Langdon and Márcia Grissoti, "O desafio da atenção primária na saúde indígena no Brasil", *Revista Panamericana de Salud Pública*, 42 (2018).

[23] Brazil, Ministry of Citizenship and United Nations High Commissioner for Refugees, *Iniciativas intersetoriais voltadas à promoção de direitos de populações indígenas refugiadas e migrantes no Brasil* [Intersectorial initiatives aimed to promote the rights of refugee and migrant indigenous populations in Brazil] (2022); United Nations High Commissioner for Refugees and Ministério do Desenvolvimento e Assistência Social, Família e Combate à Fome, Painel de informações sobre populações indígenas [Registration data panel and population profile] (Brazil, 2022).

[24] Government of Brazil, Interministerial Ordinance 19 of 23 March 2021.

[25] IOM, 2021.

involved in managing migration flows have access to proper indigenist guidance. Furthermore, the right to consultation and free and informed consent to all public policies affecting them should be assured to migrant indigenous peoples, in line with the International Labour Organization's Convention no. 169 on Indigenous and Tribal Peoples.

Access to documentation in the context of Venezuelan migration has been strengthened through ordinances regulating access to residence permits. An assessment of the general demand for access to documentation for all indigenous migrants could indicate the need for further action in this area. In the meantime, it is important to develop actions for removing obstacles to permit and documentation renewal, as well as access to birth certificates for children born in Brazil of indigenous migrant parents.

Culturally sensitive access to education and health care continues to be a challenge for which new methodologies should be developed. Hiring indigenous migrants to act as cultural mediators, educators and community health agents is a possibility that should be explored. The Brazilian State has experience with both indigenous-specific education and an indigenous health-care subsystem, and this knowledge can be mobilized and adapted when proposing solutions for indigenous migrant health care and education. Finally, new perspectives on socioeconomic integration, developed in consultation with indigenous peoples and using a participatory and culturally sensitive approach, should be developed.[26]

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[26] IOM, 2020.

The impacts of COVID-19 on Filipino irregular migrant domestic workers in the Kingdom of the Netherlands

Lalaine Siruno and Melissa Siegel[1]

ABSTRACT

The Government of the Kingdom of the Netherlands has instituted stricter immigration policies since the early 1990s. However, as in other countries, preventing irregular migration remains a challenge for the Kingdom of the Netherlands. When the COVID-19 pandemic struck and lockdowns were imposed, among those severely affected were irregular migrant workers, including those working informally in the domestic sector. The pandemic has brought a combination of health, socioeconomic and protection challenges. However, the lived experiences of Filipino irregular migrant domestic workers (IMDWs) in the Kingdom of the Netherlands point to a range of impacts instead of a homogenous one. Drawing on participant observations and interviews with IMDWs themselves, as well as key informants, three specific impacts were identified first: (a) income and financial remittance volatility; (b) dual-country or transnational precarity; and (c) physical and migration status immobility. This article then explains how IMDWs address such impacts and how they advocate for themselves and build resilience despite the limitations imposed by their precarious legal status. The article also highlights the important role played by civil society organizations and local governments in service provision for irregular migrants in times of crises. Finally, the article illustrates how some welfare provision efforts do

not necessarily contradict a restrictive migration policy and identify gaps in the Dutch multilevel approach to migration governance.

Introduction

The Kingdom of the Netherlands has a total population of 17.6 million as of January 2021, of which almost 2.6 million are international migrants.[2] The Kingdom of the Netherlands is a country of immigration, with major migration flows starting in the 1960s with its guest worker programmes followed by post-colonial migrants and asylum migration flows in the early- and mid-1980s, respectively. Nowadays, "super-diversity" characterizes major cities like Amsterdam and Rotterdam. Migrants come not just from many different countries but through multiple channels with a wide array of migration motivations, personal characteristics and linguistic, economic, sociocultural and religious backgrounds.[3]

On 12 March 2020, less than two weeks after its first confirmed COVID-19 case, the Kingdom of the Netherlands issued a stay-at-home guideline. Migrant workers faced increased vulnerabilities not only because their tasks are less amenable to remote work but also because they are often on temporary contracts and with relatively lower wages to begin with. Many of these vulnerable migrants performed essential jobs in the hospitality, agriculture, food processing, logistics and other service industries. While those in formal employment had access to

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[2] Statistics Netherlands, How many residents have a foreign country of origin? (updated 18 January 2023).

[3] Steven Vertovec, Super-diversity and its implications, *Ethnic and Racial Studies*, 30(6):1024–1054 (2007).

financial support from the Government, this was not the case for migrant workers in the informal sector, which consists mainly of workers with irregular migration statuses. Among the biggest groups of irregular workers in the Kingdom of the Netherlands are women from the Philippines who work in the domestic sector.

This short piece shares some of the more salient findings of the empirical investigation of the impacts of the COVID-19 pandemic on Filipino IMDWs in the Kingdom of the Netherlands. This article recognizes how the pandemic has brought a combination of health, socioeconomic and protection challenges to migrants everywhere. Yet the lived experiences of Filipino IMDWs illustrate how challenges are often compounded by migration status and point to a range of varied impacts, instead of a homogenous one. Drawing on interviews with IMDWs themselves as well as key informants, the authors first identify and unpack three specific impacts: (a) income and financial remittance volatility; (b) dual country or transnational precarity; and (c) physical and migration status immobility. The article then shows how IMDWs address such impacts. The important role played by civil society organizations and local governments in service provision for irregular migrants is then highlighted. Finally, some policy implications are discussed and gaps in the Dutch multilevel approach to migration governance are identified.

The impacts of COVID-19 on Filipino irregular migrant domestic workers

Unlike in other countries, domestic workers in the Kingdom of the Netherlands typically do not work full time or live with their employers. The common practice is to hire a domestic worker for a few hours every week, and particularly in larger cities, migrants (of whom many have irregular statuses) exclusively take

up this role.[4] Social distancing regulations meant that many households became reluctant to let non-household members in. Other employers also faced financial difficulties and were forced to close their doors. Lockdowns significantly reduced IMDWs' incomes given salary cuts or non-payment of wages; they are also excluded from formal social protection mechanisms. It has been said that that the effects of the pandemic are "harshest" for those already in vulnerable situations before the outbreak of COVID-19.[5] In the case of IMDWs, the protection crisis is more specifically a "crisis of borders", as their irregular migration statuses prevent them from accessing the welfare system and the full range of public services and COVID protection measures.[6]

There was a time when the expanding Dutch economy produced a demand for low-skilled labour and irregular migrants were treated with considerable leniency. Since the 1990s, however, stricter immigration and labour market policies have been instituted. Preventing irregular migration and illegal employment both became policy priorities. Among several legislative measures, the Linking Act of 1998 made the entitlement to State-sponsored public services conditional on residence status. It was assumed that immigration would be reduced if migrants face difficulties in accessing welfare and social security benefits. The Act practically excluded irregular migrants from accessing social services, except for medically necessary health care and night shelters. During this running COVID-19 pandemic, the Act generally did not change. At the same time, the Government of the Kingdom of the Netherlands did not introduce

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4   Sarah van Walsum, Regulating migrant domestic work in the Netherlands: opportunities and pitfalls, *Canadian Journal of Women and the Law*, 23(1):141–165 (2011).
5   United Nations, *Policy Brief: COVID-19 and People on the Move* (n.p., 2020).
6   Anna Boucher, Gerda Hooijer, Desmond King, Isabelle Napier and Marc Stears, COVID-19: a crisis of borders, *PS: Political Science and Politics*, 54(4):617–622 (2021).

any pathways for temporary or non-temporary regularization to reduce the impacts of the pandemic on irregular migrants.

And what precisely are these impacts? First-hand accounts were obtained through phone and online interviews with Filipino IMDWs (n = 69) and key informants (n = 32). The profile of the research participants is summarized in Tables 1 and 2. Data collection was conducted between November 2020 and June 2021 following strict ethical protocols, and the data was analysed qualitatively using the software ATLAS.ti.

The COVID-19 impacts reported were generally not different from those already widely discussed in existing literature. The data affirms the common observation that the pandemic has exacerbated many pre-existing vulnerabilities, including job loss and financial insecurity, limited access to health care, and lack of entitlement to social welfare benefits.[7] However, the extensive conversations with IMDWs reveal more nuanced findings pointing to a range of impacts instead of a homogenous one, owing largely to the underlying challenges imposed by a precarious legal status, as well as several strategies to deal with these challenges.

Table 1. Profile of irregular migrant domestic workers participants

Demographic characteristics	N
Gender	
- Male	19
- Female	50
Age	
- Range	25–61 years old
- Mean	38.9
- Median	39

Demographic characteristics	N
Educational attainment	
- Master's degree	1
- Bachelor's degree	32
- Some university/vocational training	29
- High school	4
- Some high school	3
Civil status	
- Married/With partner	31
- Separated/Widowed	9
- Unmarried	29
Children	
- With child/children born in the Philippines	31
- With child/children born in the Kingdom of the Netherlands	7
- Without children	31
Place of usual residence in the Philippines	
- Metro Manila (National Capital Region)	5
- Provinces	64
Mode of migration to the Kingdom of the Netherlands	
- Tourist visa	38
- Au pair visa	25
- Moved from another Schengen country	3
- Others	3
Years of continued stay in the Kingdom of the Netherlands	
- Range	1–29 years
- Mean	8.48 years
- Mode	8 years
Place of residence in the Kingdom of the Netherlands	
- Amsterdam	33
- The Hague	27
- Rotterdam	5
- Others	4

Source: Authors' original data.

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7   IOM, COVID-19 and mobility, Institutional statement (25 March 2021).

Table 2. Demographic information of key informants

Affiliation	Sex	
	Male	Female
Filipino migrant organization (dealing specifically with migration-related advocacy)	3	10
Other Filipino organization (cultural, faith based, sectoral, regional, business)	4	6
Dutch non-governmental organization/civil society organization	2	7

Source: Authors' original data.

Income and financial remittance volatility

Majority of participants indicated that they are family breadwinners, regularly sending financial remittances for the basic needs of their family members in the Philippines and providing additional support during times of emergency (such as job loss, illness and death). Others also send money for their personal projects with return intentions in mind (such as real estate purchases, house construction, business investments and pension contributions).

Particularly during the first three months of the lockdown in the Kingdom of the Netherlands, most participants reported that their incomes were significantly reduced. Yet many of them still continued sending remittances, in some cases even increasing regular amounts. They drew from savings, borrowed money from friends or employers, or started selling home-cooked food items and other things online. "It is harder there than here" and "It is the least I can do" were common remarks. Other IMDWs however, reasoning along the lines of "I am alone and undocumented here; I need to take care of myself" decreased or temporarily stopped sending money. This decision considered not only their own financial situation but also the earning capacity of their family members who stayed behind; IMDWs reassured loved ones back home that they will make up for it when work picks up again. Decisions to maintain, increase, decrease or temporarily stop sending financial contributions to family members appear to be the result of a careful yet difficult deliberation either to put the family or oneself first.

Dual-country or transnational precarity

Almost all the IMDWs interviewed expressed a very transnational, dual-country experience of the uncertainty and precarity induced by the COVID-19 pandemic. They did not only worry for themselves, they were also very concerned about the situation of their family members in the Philippines. The participants revealed that the pandemic increased their contact with family members, friends and relatives. They checked in more frequently, particularly with elderly parents or health-compromised family members. Many of the participants also shared that the pandemic brought greater awareness of their precarious legal status and stronger apprehension that should anything happen with their family, they would not be able to go back home. This is because going back to the Philippines means forfeiting their life and livelihood in the Kingdom of the Netherlands.

Ultimately, comparisons between COVID-19 experiences here and that of their family members in the Philippines, and between the responses of the governments of the Kingdom of the Netherlands and the Philippines surfaced. Such comparisons had brought about a kind of transnational sense-making among

the participants, particularly regarding their identities as migrants and their roles within the family. For many Filipino IMDWs, the pandemic has reinforced narratives of self-sacrifice and risk-taking for a better life. As one participant narrated:

> My mother had COVID; she was in the hospital for a month. I am thankful I could send money for her bills, though I really wanted to go home. But I know my situation and video-calling and sending money is all I could do (P52).

COVID-19 highlights yet again the significance of economic motivations for migration. But it also underscores the other prominent elements of the Filipino identity and the culture of migration: hard work, heroism and a very strong family orientation.

Physical and migration status immobility

For some IMDWs, the pandemic-related mobility restrictions prevented them from travelling to the Philippines to finally initiate regularization procedures, thereby prolonging their irregularity. Others were held back from actualizing their planned return after a very long absence. One participant shared that a few months earlier, she had planned to go home for good and take care of her ailing mother. However, she shared:

> COVID happened, and I got stuck here. Mama died, and I never made it back. Now since I have already sacrificed a lot and I have no family of my own anyway, I decided to just stay here and work until I have settled all my financial responsibilities (P27).

Others were anxious of the situation that awaited them in the Philippines, pointing out repeatedly that "it is way worse over there" and deemed it best to stay in the Kingdom of the Netherlands with or without papers. Others did decide and returned with the help of IOM and the Government of the Philippines, which organized repatriation flights. A community leader explained that most return decisions were impromptu and were not exactly motivated by job losses:

> Those who have been here a long time … were worried about their family members. They said they did not want their elderly parents to die from COVID before they come back. Or they did not want to die here. … For the first time, they thought of finally going back home (P6).

These narratives illustrate that the impact of the pandemic to migration and mobility cannot be simply summed up in terms of immobility. In the case of Filipino IMDWs, pandemic-induced immobility is not unequivocally voluntary or involuntary. Also in some instances, the pandemic led to prolonged and/or involuntary irregularity. And still for others, the situation prompted a kind of existential reckoning and impromptu returns.

Pandemic responses and policy implications

The governance of irregular migration in the Kingdom of the Netherlands happens at multiple levels, with national and local governments having divergent roles, and civil society and migrant-led organizations playing an important part in the arm's length provision of services. The COVID-19 pandemic did not prompt the national Government of the Kingdom of the Netherlands to waver in its position on irregular migration. As COVID-19 was declared as a public health emergency, the Government of the Kingdom of the Netherlands introduced some marginal changes or ad hoc protection measures and temporary inclusive practices like testing and vaccinations. Beyond this however, there has

been no attempt to reform migration policies, or to introduce temporary and conditional regularization schemes like those in Canada, Ireland, Italy and Portugal.[8]

As was the case prior to the pandemic, local authorities maintained their role as service providers in partnership with civil society and migrant organizations. For their part, 16 Filipino migrant organizations with different missions and advocacies established the FILCOM-NL Alliance to collect donations and extend support to their fellow Filipinos with irregular status. Then they partnered with the Dutch Red Cross and between May 2020 and August 2021, the Alliance distributed food packs and/or grocery vouchers worth 15 euros each to hundreds of irregular migrants weekly. They also facilitated access to testing, medical care and vaccinations, and assisted in voluntary returns.

While this response illustrates that some welfare provision does not necessarily contradict a restrictive migration policy, the temporariness and unpredictability of inclusive practices underscore a tension in the multilevel governance of irregular migrants.[9] The simultaneous exclusion and inclusion and the redelegation of service provision to non-State actors do not indicate a robust system of multi-governance. While migrant aid proves to be a charitable and practical approach during the pandemic, it accentuates, at the same time, the precarity and uncertainty that irregular migrants face every day. As one IMDW puts it:

> I do not know if they are helping us for us, or because they have to show their citizens they have everything under control. … I hope this will not end when the pandemic ends (P90).

The empirical data point to IMDWs being able to cope and adapt despite the limitations imposed by their irregular migration status. Given their position in society, one might argue that coping and adaptability become necessary conditions for IMDWs to remain in the Kingdom of the Netherlands. The study reveals, however, that their ability to face COVID-19 and other migration-related challenges is not only cultivated through purpose-driven personal and family-oriented characteristics. Their confrontations with COVID-19 happened through the support of the community and civil society organizations, both of which provide access to basic resources and services.

This does not mean, however, that the system is entirely effective. A more sustainable approach is needed, not only in preparation for future economic and health shocks but also in recognition of irregular migration being a persistent phenomenon despite stricter immigration controls. The Government of the Kingdom of the Netherlands signified support to the Global Compact for Safe, Orderly and Regular Migration. The strategy has been to adopt measures at the national level while trying to strengthen cooperation at the international level. In line with the foregoing discussion, what remains a challenge is policy coherence and continuity all the way to the local level, and a more adaptive governance strategy that is guided by the fundamental principle that irregular migrants are human beings with rights and dignity.

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8 Platform for International Cooperation on Undocumented Migrants, *Regularisation of Irregular Migrants: How to Make it Work* (Brussels, 2022).

9 Marry-Anne Karlsen, *Migration Control and Access to Welfare: The Precarious Inclusion of Irregular Migrants in Norway* (Routledge, London and New York, 2021).

Livelihoods on the move under COVID-19 restrictions in Zimbabwe

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Introduction

In Zimbabwe, government-mandated national lockdowns meant to contain the transmission of COVID-19 have exposed informal cross-border traders whose livelihood is hinged on regular travel to and from other countries for trade purposes to vulnerability and shocks that are difficult to withstand. Being guided by the phenomenological research design that emphasizes the importance of subjective personal understanding and interpretation, this qualitative paper explores the lived experiences of cross-border traders in Zimbabwe under the COVID-19 restrictions. It focuses on understanding the nuanced responses to the lockdowns instituted by traders to maintain their economic and livelihood activities. To gain an understanding of subjective experience and insights into traders' motivations and actions during COVID-19-induced lockdowns, a critical survey of secondary sources of data was employed. The paper utilized a desk approach that purposively sampled academic papers, newspaper reports, civil society and government documents to provide a grounded understanding of informal cross-border trade (ICBT) experiences under COVID lockdowns in Zimbabwe. The temporal suspension of regional and international travel by some countries has interrupted supply chains of goods or commodities,[2] reduced income, closed businesses, heightened food insecurity and/or plunged the informal cross-border traders (youth, men and women) into deeper poverty. This tragedy has also come at a time when the Government is grappling with multiple economic crises, hence further impoverishing the already impoverished. It is thus important to document how cross-border traders have experienced these lockdowns.

Background: Cross-border trading and livelihoods in Zimbabwe

From the onset of colonialism, informal trade in Zimbabwe was heavily influenced by the migrant worker phenomenon that involved men migrating to South Africa in search of employment, and returning home with bicycles, watches, clothing and other goods. ICBT re-emerged after independence in the mid-1980s, with women going to Botswana and South Africa to sell their wares and to buy goods for resale in Zimbabwe. These goods included crafts, artifacts, curios, farm products, motor vehicle parts and second-hand clothes, among others. Over the past 30 years, Zimbabwe has witnessed a growth in ICBT as a response to multiple socioeconomic crises. Koroma et al. note that "in Zimbabwe, where unemployment is estimated at up to 90% when considering only the formal economy, [ICBT] has created significant employment opportunities, with an estimated 5.7 million people currently employed in the informal economy."[3] The Economic Structural Adjustment Programme,

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[2] Prachi Agarwal and Mulenga Chonzi, Impact of COVID-19 on international trade: Lessons for African LDCs, A contribution to the Policy Hackathon on Model Provisions for Trade in Times of Crisis and Pandemic in Regional and other Trade Agreements (2020).

[3] Suffyan Koroma, Joan Nimarkoh, Ny You, Victor Ogalo and Boniface Owino, "Formalization of informal trade in Africa Trends, experiences and socio-economic impacts" (Food and Agriculture Organization of the United Nations, Regional Office for Africa, Accra, 2017).

adopted in the 1990s, impacted the labour market, leading to widespread retrenchments that forced people into alternative livelihood activities, including ICBT.[4] The fast-track land reform implemented in 2000 further deepened the economic stresses suffered in the 1990s because of the Economic Structural Adjustment Programme. This haphazard land occupations and related political violence during the elections in 2002 attracted sanctions on Zimbabwe from the Global North countries.

The introduction of Operation Clean-up in 2005 by the Government temporarily interrupted informal trade as informal market sites were demolished. All these events increased the socioeconomic challenges facing the majority of Zimbabweans characterized by high poverty levels, food insecurity, world-record inflation, high employment and shortages of basic commodities. Migration emerged as a key coping mechanism, and by July 2008, the Zimbabwean migration stock was estimated at 4 million, with people moving mainly to neighbouring Botswana, Mozambique and South Africa.[5] Cross-border trading was further boosted by the upliftment of the visa requirements by the Government of South Africa. This movement translated to the volume of informal trade at the Zimbabwe border, with South Africa and Botswana peaking in 2008, as people resorted to informal trade to make a living. ICBT has thus become an established part of the livelihood portfolios of Zimbabweans who have explored further trading routes including China, Dubai (United Arab Emirates) and Türkiye.[6]

COVID-19 government responses and cross-border trading in Zimbabwe

Policy responses to the COVID-19 pandemic varied from country to country depending on the capacity levels to enforce policies, anticipated burdens on urban livelihoods, perceived vulnerabilities of the population to the pandemic, as well as historical experience to managing major health events.[7] The Government of Zimbabwe declared the COVID-19 pandemic a national disaster accompanied by health and safety regulations, such as social distancing, wearing of face masks and sanitizing. Statutory Instrument 83 of 2020, Public Health (COVID-19 Prevention, Containment and Treatment) was issued and immediately enforced curfews, border closures, prohibition of border crossings and quarantines. These restrictions thus limited human movements within the country. The police and the army manned the roadblocks. Transport service providers were forced to stop operating. Both air and road travel were banned except for special cases like travelling for medical reasons or essential services. Contact tracing, public health messaging and mass vaccinations, on the other hand, were later rolled out.[8] Most of these measures were placed with little warning to the public, which interrupted supply of commodities and ultimately disrupting informal trade.[9] Many households did not have the opportunity to find alternative livelihoods. The ban of ICBT, coupled with the absence of social protection systems, was a huge blow to households who depended on it for survival. This meant that those who were already impoverished suffered the most. Restrictions on mobility and the closure of

4 Denboy Kudejira, COVID-19 and the plight of informal cross border traders in Zimbabwe, Working paper (On the Move, Canada, 2020).

5 Manuel Orozco and Anna Lindley, "Country profile: Zimbabwe", *Migrant Remittances*, 4(2):6–10 (2008).

6 Sunungurai D. Chingarande, "Rethinking religion and gender inequality: An interrogation of Matarenda in Zaoga", In: *Matarenda/Talents in Zimbabwean Pentecostalism* (Sunungurai D. Chingarande, Juliet Thondhlana, Roda Madziva and Allan H. Anderson, eds.) (Brill, Leiden, 2021, pp. 10–29).

7 Danielle Resnick, Ella Spencer and Twivwe Siwale, Informal traders and COVID-19 in Africa: An opportunity to strengthen the social contract, Policy brief (International Growth Centre, London, 2020).

8 Itai Chitungo, Tafadzwa Dzinamarira, Nigel Tungwarara, Munashe Chimene, Solomon Mukwenha, Edward Kunonga, Godfrey Musuka and Grant Murewanhema, "COVID-19 response in Zimbabwe: The need for a paradigm shift?", *COVID*, 2(7):895–906 (2022).

9 Gamuchirai Masiyiwa, Cross-border trading in Zimbabwe becomes casualty of coronavirus, *Global Press Journal*, 3 May 2020.

markets, businesses and borders had significant impacts on informal workers, agriculture workers and cross-border traders.[10] With limited population mobility, access to goods and markets was curtailed in the process, and cross-border traders suffered food and financial insecurity. The increase in prices of commodities during the lockdown further worsened the situation for the traders who had also lost their income.[11] The interplay of increasing poverty and COVID-19 created what can be termed *povid* (which is a term used by women in Zimbabwe to describe an intersection of poverty and COVID-19).[12]

Although the Government of Zimbabwe disbursed 500 million Zimbabwean dollars stimulus package to cushion all vulnerable members in the informal sector, this was inadequate in meeting the needs of the ICBT sector.[13] The fund only benefited the formalized small-scale enterprises, and yet many ICBTs are not registered. Failure by the Government to provide cushion allowance to the informal cross-border traders heightened their vulnerability to food insecurity among other crises.[14] Critical shortage of *mealie-meal*, which is the staple food for Zimbabwe, saw citizens queue for long hours in overcrowded places, thereby exposing them to infection.[15] The drop in income forced the cross-border traders to divert their business capital during COVID-19 prolonged lockdowns. The pandemic disturbed the purchasing power, purchasing patterns of the traders and contributed to their increased vulnerability to poverty.[16] It affected business to an extent that households that depend on ICBT can no longer afford to send children to school when schools finally opened. The majority of traders' capital was depleted as they stocked up on food and other household essentials during the pandemic.

The Zimbabwean response was largely similar to many other African countries but with distinct differences because of the political and economic context, in particular debt arrears that meant the country could not receive direct financial support from the World Bank.[17] Coupled with this, the country was already in the throes of sustained socioeconomic crises and still suffering the impacts of climate shocks associated with droughts and cyclones.[18] Zimbabwe also had a large migrant population living and working (often without documentation) in neighbouring countries especially South Africa. This meant that there was a huge number of returning citizens at the advent of COVID-19, leading to a loss of remittances and pressure on a social system that was not prepared to receive huge numbers.[19] This context meant that the impacts of COVID-19 were rather severe.

[10] David Mhlanga and Emmanuel Ndhlovu, Socio-economic implications of the COVID-19 pandemic on smallholder livelihoods in Zimbabwe, *Preprints* 2020, 2020040219.

[11] Antoine Bouët, Julie E. Kurtz and Fousseini Traoré, "COVID-19 impact on informal trade: Disruptions to livelihoods and food security in Africa", International Food Policy Research Institute (IFPRI) Trade Briefs, November 2020 (IFPRI, Washington, D.C.).

[12] Sandra Bhatasara and Manase Kudzai Chiweshe, *A Gendered Approach to Fiscal Transparency and Accountability in Local Extractives Communities with a Focus on Arcturus Gold Mine* (Zimbabwe Coalition on Debt and Development, Harare, 2020).

[13] Roz Price, Impacts of COVID-19 regulatory measures on small-scale and informal trade in Zimbabwe, K4D Helpdesk Report 815-816 (Institute of Development Studies, Brighton, 2020).

[14] Beauty Dzawanda, Mark Matsa and Melanie Nicolau, A catastrophic threat to the already vulnerable towards 2030: Impact of COVID-19 lockdown on livelihood outcome of informal cross border traders in Gweru, Zimbabwe, *Social Sciences and Humanities Open*, 6(1):100316 (2022).

[15] Darlington Mutanda, Challenges and opportunities for Zimbabwe's responses to COVID-19, *Cogent Social Sciences*, 8(1) (2022).

[16] Oxfam and African Forum and Network on Debt and Development, Will the cure bankrupt us? Official Development Assistance and the COVID-19 response in Southern African countries, Joint Agency Briefing Note (Oxford, 2020).

[17] World Bank, World Bank statement on COVID support to Zimbabwe, 14 May 2020.

[18] Clement Chipenda and Tom Tom, *Zimbabwe's Social Policy Response to COVID-19: Temporary Food Relief and Cash Transfers*, CRC 1342 COVID-19 Social Policy Response Series, 23 (Universität Bremen, Bremen, 2021).

[19] IOM, More than 200,000 people return to Zimbabwe as COVID-19 impacts regional economies, 21 April 2021.

Cross-border traders' agency and responses to government lockdowns

There are several mechanisms that cross-border traders engage in to circumvent the challenging situations induced by the government-mandated lockdowns. Although informal cross-border traders contribute to government revenue generation through licence and duty fees, their exclusion from social protection triggers them to heavily rely on informal coping mechanisms in managing shocks, such as savings groups, funeral funds and emergency funds to manage the expenditures.[20] Others in such contexts engaged in sex work, bribery and corruption to make ends meet. Below is an outline of these strategies:

- **Border jumping**: This process includes the crossing of the border into neighbouring countries via illegal entry points. For those trading in South Africa,[21] smuggling goods over the border via Limpopo River became more rampant. The traders usually have to pay money for border jumping guides known as *magumaguma* to help cross the bridge. Those who cannot afford the fee for the guides try their luck crossing the crocodile-infested Limpopo River. There are also people who use rafts to transport people across the river. The border crossing bans thus pushed the movement of people and goods to informal border crossings that were not monitored, thus increasing the chances of the spread of disease.

- **Informal links and bribery**: Transport operators who facilitate the movement of goods across the border known as *malaitshas* and cross-border bus operators who had been banned from travelling across the border pay border officials

to pass through.[22] This is despite the numerous roadblocks on the highway to check if travellers and transporters have the necessary paperwork to travel or operate. When limited international travel was finally allowed, there was a requirement to avail a negative polymerase chain reaction (PCR) test as a requirement to leave or enter into other countries. This created an opportunity for bribery. In Zimbabwe, the COVID-19 certificates were expensive and had to be initially sourced from either Harare or Bulawayo; hence, people bribed the doctors or bought the certificates without testing. To avoid delays and ensure smooth entry into neighbouring countries, traders (documented and undocumented) were forced to bribe immigration and customs officials.[23] In extreme cases, sextortion (sexual abuse as a currency for bribery) was performed between cross-border traders and border control authorities (Immigration, Zimbabwe Revenue Authority (ZIMRA), the army and the police), as well as truck drivers who transport wares from countries such as South Africa into Zimbabwe. These sexual transactions were conducted in a bid to ensure that traders' goods were protected and not confiscated.

- **Sex work**: For many women whose livelihood opportunities were affected, sex work became a source of income.[24] Sex work however was riddled with multiple challenges, including harassment by security forces who demanded sex in return for allowing the women to move after curfew.

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[20] Price, 2020.

[21] See news report here.

[22] Inocent Moyo, "COVID-19, Dissensus and de facto transformation at the South Africa–Zimbabwe border at Beitbridge", *Journal of Borderlands Studies*, 37(4):781–804 (2022).

[23] IOM, *Rapid Situation and Needs Assessment of Informal Cross-border Traders at the Beitbridge Port of Entry in South Africa during the COVID-19 Pandemic* (Pretoria, 2021).

[24] Farai Shawn Matiashe, Zimbabweans turn to sex work amid economic crisis and COVID-19, Reuters, 29 October 2020.

In Zimbabwe under COVID-19, sex work continued to be both criminalized and highly stigmatized, hence sex workers faced severe difficulties in accessing financial support offered through government social protection schemes. Under COVID-19 in Zimbabwe, the policing of sex workers involved widespread abuse by police and soldiers patrolling the streets and enforcing the lockdowns. Sex workers in Africa are among one of the vulnerable populations disproportionately affected by the COVID-19 pandemic on the continent.

- **Diversifying into local products**: Traders started to utilize local goods and markets in response to the lockdowns. Local goods included fruits and vegetables, groceries and other basic commodities. Although they tried diversifying their businesses by sourcing and trading products locally in a bid to cushion themselves, this was also short-lived, as they could not sell their products on the streets due to constant chasing of street vendors by city council officials.

- **Online payments and marketing**: To reflect their agency, the cross-border traders employed diverse methods to source and market their products during the lockdowns. Prior to COVID-19, the most common method of payment for imported goods was cash. Later, other e-payment methods were adopted, such as phone and bank transfers. Some traders turned to online spaces such as WhatsApp to market their goods. Traders who focused on the Chinese and Dubai markets also utilized online stores, and their goods came via air cargo. Other traders focused on South Africa were utilizing agents known as *runners*.[25] These were designated in areas

such as Messina. Other traders utilized truck drivers to move their goods because commercial trucks were allowed to cross the border.

Policy options to mitigate the impacts of pandemics on informal cross-border trade

There are multiple policy options that can be introduced to ensure a pandemic-proof cross-border trading sector in Zimbabwe. These recommendations are based on the need to provide sustainable safety nets for households that depend on ICBT to survive pandemics and also be able to return to trading post pandemic. What has happened post lockdowns in Zimbabwe is the increased difficulty for most traders to build back their businesses. The following recommendations are proposed:

- Governments must invest in social protection and inclusive of cash transfers that help cushion vulnerable households. Mobile money transfer technology is a key ingredient in making social transfer programmes effective and transparent in targeting the most vulnerable. To ensure transparency and avoid politicization of aid distribution, legitimate ICBT associations can be involved in distributing aid to the traders. In certain cases, conditionalities should be set aside.[26]

- Civil society must be at the forefront of providing capacity-building training for cross-border traders that focuses on rebuilding livelihoods and mitigating the impacts of the pandemic. Such training must provide entrepreneurial skills, financial literacy, navigating customs and border procedures. Survival skills and

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[25] Dzawanda et al., 2022.

[26] Shahid Vaziralli, A social protection response to COVID-19 in developing countries, Policy brief (International Growth Centre, London, 2020).

diversification of economic activities must also be promoted to spread risk.

- ICBT players as self-employed workers should be included in social welfare structures or systems that cover other workers. For instance, Zambia's National Pension Scheme Authority covers different categories of informal workers, including marketers who are required to remit 10 per cent of their declared monthly income to receive benefits. Additionally, flexible bank loans for informal cross-border traders could also be considered to address challenges around financial liquidity.

- Governments must acknowledge the role played by informal traders in providing employment in a country where formal jobs are scarce. This acknowledgement has to be in a form of policy consistency in promoting ICBT activities because unpredictable trade policies tend to be highly regressive, affecting small operators disproportionately. Border

infrastructure rarely caters for the needs of small-scale traders, and there is a need to improve the border as a space that promotes entrepreneurs.

- Increased government and local authorities' accountability and transparency is necessary to build a robust and inclusive social contract with urban traders. Public funds should be invested in public services that matter to traders, such as safer water and sanitation systems and infrastructure in markets that would limit the effects of pandemics like COVID-19. The inclusion of traders in local authorities' decision-making processes is also recommended.

- Awareness-raising on livelihood diversification and e-trading among informal cross-border traders is crucial. This awareness-raising can be conducted by market associations and other organizations that work with informal cross-border traders.

Canada's permanent residence policy for refugee claimants working in the health-care sector during the pandemic: A crisis-led policy innovation

Mireille Paquet, Adèle Garnier, Karine Côte-Boucher and Luna Vives[1]

Introduction

Despite considerable hurdles to mobility, governments throughout the pandemic have tried to facilitate the mobility and access to work for health workers, including special regularization programmes for enabling access to services and meeting public health objectives. It is in this context that in late 2020, the Government of Canada, in collaboration with the Provincial Government of Quebec, launched special initiatives in facilitating access to permanent residence for refugee claimants who had worked in the health sector during the first wave of the COVID-19 pandemic. The contribution of asylum-seekers to front-line care of older people and persons with disabilities had been the object of much public attention, including mediatized cases of asylum-seekers who died after having contracted the virus at work. However, these policies were short-lived: the Government stopped accepting files in August 2021. While Canada also recruited immigrant health workers from abroad in the first wave of the pandemic,[2] the Canadian approach is notable by its almost exclusive focus on in-Canada refugee claimants. This article presents an overview of

the programme and its design and reflects on implications to support future policy innovation.

Context

The temporary public policy to facilitate the granting of permanent residence for certain refugee claimants working in the health-care sector during the COVID-19 pandemic and the temporary public policy to grant permanent residence for certain foreign nationals selected by Quebec working in the health-care sector during the COVID-19 pandemic (thereafter, the policies) allowed asylum claimants living in Canada to apply for permanent residence based on two conditions.[3] Applicants had to have already filled an application for refugee status determination and be waiting on a first-asylum decision or an appeal from the Immigration and Refugee Board of Canada (IRB) or a final decision by the Federal Court of Canada. By virtue of having engaged in the process of refugee status determination, these individuals were already granted temporary work permits in Canada and access to basic social services. This is important because these policies are not regularization initiatives. Non-status residents and those having seen their asylum appeal rejected at the final instance, as well as any other type of temporary permit holders,

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[2] A complete review of the immigration policies designed by Canada in response of the pandemic is available online at Maggie Perzyna, Marshia Akbar, Claire Ellis, Stein Monteiro, Lucia Nalbandian and Craig Damian Smith, Immigration policy 'on the fly': A critical review of pandemic policymaking in Canada, Working Paper No. 2022/13 (Toronto Metropolitan Centre for Immigration and Settlement, 2022).

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[3] Details of the policies and links to operational instructions are available online at Government of Canada, Temporary public policy to facilitate the granting of permanent residence for certain refugee claimants working in the health care sector during the COVID-19 pandemic (2020); and Government of Canada, Temporary public policy to grant permanent residence to certain foreign nationals selected by Quebec working in the health care sector during the COVID-19 pandemic (2020).

were not eligible for this programme.[4] Second, to be eligible for the programme, refugee claimants were required to have worked in designated health professions or care settings in Canada or abroad for a set minimum number of hours. Designated work settings included hospitals, public or private long-term care institutions, public or private retirement homes, and services providing home care to older people or persons with disabilities. Eligible designated occupations included nurses, health-care aides, orderlies, home support workers and care coordinators.[5] The number of hours required for programme eligibility varied depending on the sector of work and the dates worked. At a minimum, the policies required applicants to have worked 120 hours between 13 March 2020 and 14 August 2020 in eligible jobs and a total of six months of full-time experience (or 750 hours of part-time experience) as of 31 August 2021. The policies also offered status to admissible close family members (such as spouses and children) of the principal applicant, should they receive a positive decision. This also applied to spouses and common-law partners of eligible applicants who died before having had the opportunity to apply to the programme. In these cases, permanent status could also be granted to admissible family members.

As per the 1991 Canada-Quebec Accord, the French-speaking province of Quebec has unique powers over immigration, particularly in regard to the selection of foreign nationals for permanent residence.[6] As a result, two temporary policies have been implemented simultaneously in different regions of the country. Applicants who worked in Quebec and wished to become permanent residents in the province had to send their application to the Quebec department responsible for immigration (Ministère de l'Immigration, de la Francisation et de l'Intégration). In the rest of the country, applicants had to send their file to the federal department of Immigration, Refugees and Citizenship Canada (IRCC). Otherwise, the decision-making criteria were the equivalent for both the federal and provincial policies.

These temporary policies impacted the work of the IRB, Canada's independent tribunal responsible for refugee status determination.[7] Admissible applications already being processed by the federal or the provincial department of immigration were placed temporarily on hold by the IRB (and its appeal division), unless a hearing is ongoing. Applicants who met the requirements of the policy were required to officially withdraw their claim for refugee status, as well as their process with the IRB to be granted permanent status in Canada. In cases where a refugee claimant had withdrawn their application with the IRB to apply for the temporary policy, but this second application had been unsuccessful, the IRB will resume the evaluation of the initial refugee request.[8]

According to data released by the Government of Canada through an access to information request, at the closing of the application window, a total of 5,908 applications to the policy had been submitted across Canada. When including close family members or dependants of the principal applicant, a total of 13,240 persons

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[4] The Government of Canada also implemented temporary policies targeting other types of temporary immigration permit holders, including the Temporary public policy to facilitate the granting of permanent residence for foreign nationals in Canada, outside of Quebec, with a recent credential from a Canadian post-secondary institution.

[5] The complete list of work requirements, designated professions and exceptions is available online at Government of Canada, Health-care workers permanent residence pathway: COVID-19 program delivery – Assessing the work-related requirements (2021).

[6] Mireille Paquet, *Province Building and the Federalization of Immigration in Canada* (University of Toronto Press, Toronto, 2019).

[7] Sule Tomkinson, "Who are you afraid of and why? Inside the black box of refugee tribunals", *Canadian Public Administration*, 61(2):184–204 (2018).

[8] The complete procedure is documented at IRB, Practice notice: RPD and RAD processing for individuals applying under government of Canada public policies (2021).

were hoping to obtain a permanent resident status through this initiative. The majority of the files were submitted in the Province of Ontario (56%) and Quebec (38%), but there is a small number filed in other provinces and territories (Alberta, British Columbia, New Brunswick, Nunavut, Saskatchewan and Newfoundland and Labrador). This geographic concentration is representative of migrant distribution across the country, with the Province of Ontario and large cities like Toronto or Montreal concentrating a high percentage of immigrants in Canada, including asylum-seekers.[9] In the case of Quebec, the relatively large proportion of applicants also reflects the province's new status as an informal entry point for asylum-seekers arriving in the country from the United States of America through Roxham Road.[10] As of June 2022, 3,421 files had been granted status, for a total of 8,027 persons. The remaining files are still being processed, and data on rejection has not been released by the Government of Canada. While it is too early to document the individual and collective outcomes associated with these policies, a preliminary assessment of their design and implementation challenges can be offered.

Policy design and implementation assessment

From the standpoint of administrative burdens in immigration policy design,[11] both applicants and stakeholders have noted that providing the required documents to prove eligibility based on work experience represented a major obstacle in accessing the programme. Asking for such proof can put already precarious asylum-seekers at odds with negligent, abusive or simply overworked employers, including placement agencies that specialize in the recruitment of migrant workers. The short window to submit an application was an additional obstacle, as it created pressure to very quickly learn about the programme and its multiple conditions, as well as gather application materials. The tight timeline was particularly challenging for asylum-seekers who worked long hours in survival jobs, and for those less able to process State-produced information due to disability, trauma or language barriers. The short-time window also made the policy less accessible for asylum-seekers with looser connections in the country who could not benefit from the help of immigrant-serving groups and immigrant associations in accessing the programme or preparing an application.

Moreover, access to this programme was not entirely free. In addition to any costs associated with the production of required documents and translations, admitted applicants were expected to pay for the processing of their permanent residence applicants (a minimum of 850 Canadian dollars) and their Right of Permanent Residence fee (515 Canadian dollars per person, excluding dependants).[12] These costs represented a considerable burden for individuals and families already experiencing precarious economic status and rising housing costs in Canada. From an implementation standpoint, applicants and migrant rights' advocates have complained about processing delays, especially for individuals who have applied through the Quebec policy. While average wait times are not outside of current norms for humanitarian immigration in Canada, delays in this case add up to the time already spent waiting for status determination at the IRB, which ranges from nine months to two years and can increase if a decision is appealed. As applicants' files are temporarily suspended at the

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9   IRCC, 2021 Annual Report to Parliament on Immigration (Ottawa, 2021).
10 Craig Damian Smith, Policy change, threat perception and mobility catalysts: The Trump administration as driver of asylum migration to Canada, International Migration Review (2022).
11 Donald Moynihan, Julie Gerzina and Pamela Herd, "Kafka's bureaucracy: Immigration administrative burdens in the Trump era", *Perspectives on Public Management and Governance*, 5(1):22–35 (2022).
12 A full list of the immigration application and processing fees charged by the Government is available at Government of Canada, Fee list (n.d.).

IRB during the processing of the policy, delays in issuing decisions for these specific individuals may increase the overall waiting period for status determination for applicants eventually rejected from this policy. The Canadian experience shows that decreasing administrative burdens should be a primary policy design consideration when creating such temporary policies, and that planning for appropriate administrative processing capacity is paramount to maximize the positive outcomes of similar initiatives.

Besides these shortcomings linked to the design and implementation of the policy, there are also questions about the policy's fundamental principles. From the outset, the list of eligible occupations in medical settings was described as too limited, as claimants who had held jobs in care settings doing maintenance, food preparation or security could not apply.[13] More broadly, critics also questioned the decision to limit the scope of the policy to health-care provision. As migrants' contribution to what has been labelled as "essential jobs" during the pandemic has become more visible in multiple settings, the sole focus on health has become harder to defend. A prime example of this is the labour of precarious status immigrants, including asylum-seekers in the meatpacking industry. Reports documented how the pandemic exacerbated already difficult working conditions in this sector – conditions that could be linked to multiple infection clusters in meatpacking plants that resulted in the death of migrant workers. Similarly, Canada has continued to rely on temporary migrant farmworkers during the pandemic through programmes that offer no access to permanent residence. These workers were allowed to travel to Canada for work while most incoming mobility was prohibited. Yet again, the working and living conditions

linked to their employment (in overcrowded and poorly ventilated facilities where isolation was impracticable) led to high rates of COVID infection among temporary agricultural workers, which meant losing wages due to unpaid leave of absence, disease and also to several fatalities.[14]

These policies were also indirect responses to three contemporary challenges facing Canada's contemporary immigration system. First, the need to meet increasingly higher targets for the admission of State-selected permanent immigrants set by the Government, even in a pandemic context where overall mobility was severely restricted. Second, the creation of these temporary policies also responded to growing pressures for the creation of regularization programmes for immigrants living without status[15] and with long-standing demands for the establishment of pathway for permanent residency for immigrant workers labouring in sectors considered as low or medium skill in Canada.[16] While the country has relied increasingly on temporary immigrants who experience higher levels of precarity, then implementation of policies to address the vulnerabilities created by such migration schemes have not been popular with the Canadian public and has remained relatively far from mainstream political agendas. The pandemic has created a perfect policy window for the introduction of such a policy, based on the sense of urgency brought by fear or workers' shortages in care setting, as well as because of the positive coverage of asylum-

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[13] Pat Armstrong, Hugh Armstrong and Krista Scott-Dixon, *Critical to Care: The Invisible Women in Health Services* (University of Toronto Press, Toronto, 2008).

[14] Vivianne Landry, Koorosh Semsar-Kazerooni, Jessica Tjong, Abla Alj, Alison Darnley, Rachel Lipp and Guido I. Guberman, "The systemized exploitation of temporary migrant agricultural workers in Canada: Exacerbation of health vulnerabilities during the COVID-19 pandemic and recommendations for the future", *Journal of Migration and Health*, 3:100035 (2021); and Sabrina Doyle, Migrant workers falling through cracks in health care coverage, *Canadian Medical Association Journal* 192(28):E819–E8202 (2020).

[15] Canadian Council for Refugees, Regularization: Submission on creating open and flexible pathways (April 2022).

[16] Marshia Akbar, "Who are Canada's temporary foreign workers? Policy evolution and a pandemic reality", *International Migration*, 60(4):48–60 (2022).

seekers' work in long-term care facilities. In itself, this is an important achievement that will pave the way to likely inform future policies in Canada. Third, these initiatives contributed to alleviating growing demands on the in-Canada refugee determination system – notably the independent IRB – created by accumulated backlogs and the growth of irregular border crossings at the Canada–United States border since 2017.[17] These policies indirectly and partially helped the Government of Canada with these administrative objectives. However, they feed into existing and important tensions within the immigration system. Indeed, on matters of principle, another important concern they raise is the coalescing of two separate lines of immigration status decision-making: protection and contribution. By creating a programme only accessible to asylum-seekers engaged in a status determination process and by making it conditional on the demonstration of work obligation, the temporary policies symbolically point to the need for individuals to demonstrate their worth through preemptive contribution to potentially earn their status. In a context where most wealthy destination countries are restricting humanitarian protection and increasingly disregard the principle of non-refoulement, and in the face of negative public opinion about refugees, such blurring should be avoided at all costs.

For countries envisioning similar initiatives and as the Government of Canada has announced to be working on the design of a large-scale regularization programme, this short-term experience should be front and centre in the mind of policy designers. In particular, three points of guidance emerge from Canada's experience with the "Temporary public policy to facilitate

the granting of permanent residence for certain refugee claimants working in the health-care sector during the COVID-19 pandemic" and the "Temporary public policy to grant permanent residence to certain foreign nationals selected by Quebec working in the health-care sector during the COVID-19 pandemic":

(a) **Create processes that limit to a maximum administrative burdens on applicants**. Research on administrative burdens shows that administrative burdens have disproportionately negative effects on vulnerable populations in the short, medium and long term.[18] To avoid high learning, psychological and compliance costs for asylum-seekers, processes have to be designed according to the following: (i) keep processing costs very low; (ii) ensure that the rules of the programme are easy to understand, as well as available in multiple languages and format; (iii) provide simple ways to access information on the status of files; (iv) dedicate resources to support claimants who will be denied; and (v) ensure that applications are open for a long period.

(b) **Limit the dependence on third-party documentation in the application process**. Requiring documentation produced by employers can hinder the applicants and place them in vulnerable positions. Providing a maximum of alternative pathways to demonstrate how a file meets the criteria – including using community-based groups and non-profits to act as intermediaries – is necessary to make the programme as accessible and low-risk as possible.

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[17] Government of Canada, Notice – Supplementary Information for the 2022–2024 Immigration Levels Plan (2022); and Mireille Paquet and Robert Schertzer, *Irregular Border Crossings and Asylum Seekers in Canada: A Complex Intergovernmental Problem*, Institute for Research on Public Policy (IRPP) Study No. 80 (IRPP, Montréal, 2020).

[18] Mariana Chudnovsky and Rik Peeters, A cascade of exclusion: Administrative burdens and access to citizenship in the case of Argentina's national identity document, *International Review of Administrative Sciences,* 88(4):1068–1085 (2021).

(c) **Ensure that the responsible agency has the resources to process the applications in a timely manner**. Time spent waiting on decisions increased the vulnerability of asylum-seekers. To that end, the implementation of similar initiative must be supported by a robust plan to dedicate human and financial resources on processing files in a rapid manner. As these files may often be complex and incomplete, this also demands realistic investment in training staff on the exercise of discretion and in handling complicated tasks, as well as clear policies to direct managers and other leaders.

Canada's experience with these temporary policies of granting status to refugee claims during the pandemic is a prime example of immigration policy innovation during the pandemic. The Canadian case points to the challenges of designing policies based on the principle of contribution during a crisis, both from the standpoint of respecting international principle regarding refugee protection and with the objective of capturing inclusively the multiple ways in which migrants contribute to the society.

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