

2023 Q2 REVIEW

An examination of the immigration and visa changes in 2023 Q2, and alignment to the CIBT Five Flagships

2023 Q1: An Introduction

As 2023 Q1 saw a world moving away from restrictive mobility due to the global pandemic, with international borders opening, significant trade and travel corridors being utilized in ways they hadn't seen since 2019, and concessions in both immigration and visa rules that were inexorably linked to the early stages of a world in pandemic being removed, 2023 Q2 carries on with that trend. We have reviewed over 130 changes in policy, procedure, and process in both immigration and travel against a backdrop of CIBT Newland Chase's five Flagship Themes:

- 1) Reaction is Inaction: A world in Polycrisis has become an overarching landscape.
- 2) Abstract is Reality: A world of AI, Digitization and Technology has become an operating landscape.
- 3) Reset and Renew for Resilience and Relevance: A world of skill, talent and a globalised workforce, together with immigration being used as an economic lever is a relational landscape.
- 4) Embrace to Demystify: A world of complex simplicity and simple complexity in both rules and procedure has become a dynamic landscape
- 5) The [Un] Familiar Traveller: A world of changing norms has become a relative landscape.

Interestingly, all of the changes explored (see below) fit into one or more of CIBT Newland Chase's Flagships; and when linked thematically, conclude that the whilst the uncertain world continues, the lessened legacy of Covid has been replaced with other considerations, including a broader public health consideration, political unrest, negative natural world events, and the labour consequences

THOUGHT LEADERSHIP

This is the fourth installment in a four-paper series that reviews over 130 news items, government announcements, and public policy changes and thematically links them to present an immigration and visa global state of play.

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inexorably linked to a world in threat of economic downturn. Indeed, economic considerations play a heavy part in determining how rules are implemented and relaxed, both to revitalize country economies and deal with skills shortages, and in an ongoing war for talent. Inroads in digitization and artificial intelligence are revolutionising the cross-border cycle at pace. We have also seen continuing protectionism, removal of immigration and travel policies that do not suit the evolving economic situation, and a number of burdensome regulations being introduced. But what can we learn from a review of April 2023 to June 2023, and how far is it a continuation of what we witnessed in 2023 Q1, and how much is new? Below forms an 'around the world' update of what has been going on at a governmental and official level as we near the close of 2023 Q2.

2023: Continued Protectionism

Prior to the pandemic, protectionism was one of the most significant issues we debated as a community, with individual countries setting policy agendas that explored the tension between the objectives of highly globalised employers requiring access to migrant workers on the one hand, and protecting the employment



prospects and conditions of domestic nationals on the other. The premise was that local workers (however you define them) should have some sort of preferential access to the national labour market. This could be seen across all high-income countries, almost worldwide; from the H1-B process in the **USA**, via the heavily prescribed Skilled Worker regime in the **UK**, to the pre-pandemic **Swedish** immigration model, where for ten successive years domestic labour laws were extended to all migrant workers, preventing undercutting and simultaneously limiting immigration.

2023 continues to presents no exception to continued protection of the local labour workforces, and this global phenomenon looks set to continue into 2024. Unsurprisingly, the **UK** and **Sweden** both have introduced restrictive rule changes in this quarter. The **UK** announced changes to the student rules which limit the ability of student visa holders to move into work categories until the duration of their visa related studies. While in **Sweden**, a stakeholder consultation has been released to determine whether applicants for permanent residency should be required to pass additional **Swedish** language and civil examinations. And in the case of citizenship applications, proposals were submitted to the **Swedish** government that would require applicants to reside in **Sweden**

longer, implement minimum funds and **Swedish** language requirements, and would implement stricter criminal background checks for applicants. On the subject of criminal checks, **Hong Kong SAR** introduced greater requirements to make criminal record declaration across a number of visa applications. In an attempt to protect local labour in a period of economic stagnation, and as a result of growing unemployment rates **Azerbaijan** has reviewed its work permit exemption rules, bringing many individuals who previously qualified as exempt into the work permit regime (including those employed or engaged with companies having established foreign investment in the country). It has also reduced the number of individuals who might be eligible for temporary and permanent residence as a means to ensure job opportunities become more readily available to local labour.

What is interesting is identifying the countries that are now looking to present further enforcement protections for companies and individuals who do not comply with the complex tapestry of immigration and cross-border regulation; as part of re-setting labour trends to be resilient in a post-pandemic world. For example, in the **USA**, and specifically relating to the State of **Florida**, a new law will require employers with 25 or more employees to use the online E-Verify system to check the employment eligibility of all new hires, irrespective of nationality; with both civil and criminal penalties for the non-compliant. On a **European** wide level, the **European Labour Authority** (ELA) has indicated a likelihood for increased enforcement of rules for postings, including more onsite audits, into 2024. It has also created a mechanism to improve **EU Member States'** cooperation with regards to the rules related to posted workers in the **EU**. Entitled the Posting 360 Programme, the ELA has identified key areas for improved information exchange between **EU Member States** and the **EU** Commission, including the strives to consistently implement **EU** Directives in related to Posted Workers and the social security rules that might apply; moves to digitization; and the use of data. In May, compliance enforcement actions increased throughout **Saudi Arabia**, including immigration and workforce inspections, and in the worst-case scenario immediate deportation for those found in violation of the rules. While in the



UAE new enforcement violation fines have been introduced that focused on employers that have changed the professional classification of their workers or purposely reduced the number of workers in their employ in order to lessen the obligations under the **UAE** prescribed Emiratization targets.

But protectionism is not just concerned with enforcement, and in April **Cameroon** revised the ways in which it would charge government fees, increasing existing residence permit application fees and introducing new fee mechanisms for work permit applications. While in May, **Portugal** clarified that individuals with a residence permit under the Community of Portuguese Speaking Countries (CPLP) program are only permitted to exercise their residence permit to travel between CPLP countries. Travel outside of this, for example throughout the **Schengen** region, would be subject to the visa rules of the region/country of destination.



Conclusions

The world of immigration and visa policy continues to be a mass of contradictions; as the world readjusts to the ecosystem of 2023. At the end of 2023 Q2, and now halfway through the year, swathes of relaxations of the rules to revitalize economies and deal with skills shortages still sits alongside continued attempts to protect the local labour and enforce penalties for non-compliance of rules, many of which are changing rapidly. Countries are using both increasingly opening, and increasingly closing borders as a means to address the socio-economic and socio-political issues of the now and the tomorrow. Accelerated technology advancement, particularly in digitization, continues to disrupt, drive and develop; impacting the cross-border cycle in new ways and possibly leading to a more streamlined, consumer led discourse between applicant and authorities. Economically revitalised and challenged countries will continue to adapt the way they operate to meet new demands, ever-changing priorities and needs. It will be interesting to see how far the themes explored above extend into 2023 Q3 and beyond, and importantly which countries will appear in our next review.