

## 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 first 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 Q2: The Continued Existence of an Uncertain World

#### The Covid Legacy

As a consequence of the wholesale reopening of **China** for business travel, work, and tourism in 2023 Q1, unsurprisingly, 2023 Q2 seems



almost Covid-lite; as the vast majority of travel lanes have now been reopened. That is not to say that there haven't been developments that suggest the almost conclusion of the impact of Covid on the world of mobility. The most significant in this period is the formal end of the Covid public health emergency in the **USA**. Confirming that since January 2021, COVID-19 deaths had declined by 95%, and hospitalizations were down nearly 91%; and following a whole-of-government effort that led to nearly 270 million Americans receiving at least one shot of the Covid-19 vaccine; the Biden-Harris administration announced that the formal emergency protocols for vaccination requirements would end on 11 May, including those in place for international air travellers.

But the lessening legacy of Covid is not just about restrictive practices coming to an end; so to have many concessions that had been put in place to combat the negative impact of Covid on the internationally mobile world. Just as the **USA** removed Covid accommodations that had been in place since March 2020 in 2023 Q1, 2023 Q2 saw **Israel** follow suit. In May, the Israeli Ministry of Interior ended a pandemic-related concession that removed the need for consular appointments to B-1 work permit applications who were visit visa exempt nationals. The result was citizens from 78 nations are now no longer permitted to enter **Israel** without first obtaining their visa at an Israeli consular.

Whilst it is clear that a vast majority of countries have now ceased vaccination requirements for international travellers, a number of countries do still require travellers to provide vaccination details for entry purposes. We will continue to monitor how this situation changes in later reports.

But what about a broader legacy of Covid, that might be seen outside of the restrictions and concessions made for entry and stay? The pandemic accelerated existing trends in e-commerce and automation; but perhaps one of the most obvious consequences of the pandemic has been the acceleration in evolving work patterns, namely remote and hybrid working arrangements for employees. But, what are the immigration consequences for companies that now have a changed physical workforce? In the highly prescribed **UK** immigration regime, employers who sponsor



migrant workers have always been required to inform the authorities if a sponsored worker changes physical office location. April saw considerable discussion surrounding updated Home Office guidance that introduced a definition of "hybrid working pattern" and other information concerning hybrid work. The guidance attempted to outline the additional requirements for sponsoring employers who have employees who might be working from both the home and office. This led to confusion for many employer sponsors as to whom should be reported and how. The conversation remains ongoing with the **UK** Home Office. It is likely that other jurisdictions will start to attempt to define what the home working consequences are for migrant workers, particularly those who have reporting requirements for employers should their sponsored/work-permit based employees change locations for the majority of their working week.

## Public Health

As 2023 Q1 saw the introduction of a greater number of health-related conditions being attached to visa issuance, 2023 Q2 has continued the trend of greater discourse in regards to public health. In April, **Singapore** announced enhancements to the minimum medical insurance requirements for all new and existing Work Permit (including migrant domestic workers) and S Pass holders. Aligning practice to the **Singapore** governments intention to protect migrant workers with more streamlined access to medical care, the enhancements included the almost immediate requirement that employers must now co-pay 25% for any medical claim

above SGD 15,000 (and also increasing the claim limits for claimants) as well as further enhancements concerning further standardization and mandates in 2025.

### In-Country Labour Relations, Staff Shortages and Processing Delays

2023 Q2 saw a number of industrial disputes that affected application pathways and case processing times across the globe. In April, staff at the Immigration and Border Service in **Portugal** held a five-day strike which resulted in the partial closure of some processing centres and delays to application processing times. **Canada's** largest public sector union started a strike on April 19, 2023, which in turn disrupted most immigration services provided by the **Canadian** immigration authorities. In June, strikes in both **Israel** and protests in **Senegal** resulted in temporary suspensions of services, reduced operating hours, and processing delays. Staff shortages in Milan, **Italy**, lead to a longer lead time for the “contract of stay” appointments (the final part of the process to allow migrant workers to legally work in **Italy**), resulting in delay to start dates; and in **Germany** the government suspended visa refusal appeals in **China**, **Morocco**, and **Türkiye**, in order to increase capacity in visa processing offices in those countries. Intended as a six-month pilot, visa processing office in those pilot countries will be expected to give more detailed refusal notices, to which applicants will be able to review via the courts or submit a fresh application. Throughout 2023 Q2, lack of appointment availability for residence permits in **Portugal** also rendered those individuals who only have residence visas to enter **Portugal** unable to travel freely outside of the **Schengen** area, as under a residence visa alone, an individual is only permitted two entries into **Portugal**.

The intensity of these events in 2023 Q2 might suggest that employers should expect the unexpected, and prepare accordingly, in terms of labour relations, staff shortages, and processing delays. The world is entering a period of economic stagnation, and there has been an increase in industrial action and staff shortages as we have exited the pandemic in many countries. The combination of staffing issues, strike action, and returns of visa



application volumes might see processing delays become more prevalent as we enter the second half of the year.

### Extension to Border Controls in Borderless Regions

Under the **Schengen** Borders Code (SBC), **EU Member States** have an ongoing prerogative to temporarily reintroduce border control at internal borders in the event of a serious threat to public policy or internal security. 2023 Q2 saw **Austria**, **Denmark**, **France**, **Germany**, **Norway**, and **Sweden** extend pre-existing border controls until 2023 Q4. Similarly, in June (and as a response to the scheduled NATO summit) **Lithuania** re-instated border controls for a six-day period to ensure security for the event. Internal border controls require the traveller to present valid travel documents, and have the consequence of delaying border crossings, as border security checks travel documents. The reintroduction of border control at the internal **Schengen** borders must be applied as a last resort measure, in exceptional situations, and must respect the principle of proportionality. As many of the longer-term controls have been in place for some years now, it is likely that the **European** Union is may look to amend the SBC to permit further scrutiny of Member State decisions to implement them. At present the **EU** Commission may issue an opinion regarding the necessity of the measure and its proportionality but cannot veto a Member State's decision to reintroduce border control.



## Changes to Bilateral Relations

The ways in which countries interact with each other will have a continuing impact on business travel policy and immigration control, and 2023 Q2 saw ongoing changes to rules that are a direct result of bilateral considerations between countries. In a move similar to that **Brazil** made in March 2023, in April the **Equatorial Guinea** government introduced a requirement for **USA** citizens to obtain a visa at least 60 days prior to travel, the effect of which moves **USA** citizens outside of the government's visa-free travel policy. In efforts of align itself with **EU** policy, **Serbia** now requires **Cuban** nationals to obtain a visa to enter **Serbia** for tourism and business (readers might recall similar introductions in 2023 Q1 for **Bolivian** and **Indian** nationals).

In June, and in response to growing escalations between the two countries over worker protections and employer rights, **Kuwait** suspended new work and entry visas, and cancelled those visas that had been obtained but not yet used, for nationals of the **Philippines**. **Philippine** nationals who had already obtained a **Kuwaiti** civil identification card were unaffected. **Philippine** nationals make up around 6% of **Kuwait's** 4.7 million population.

Visa and immigration policy will always be closely linked to the relationships between countries, and what bilateral agreements they have entered into. What 2023 Q2 demonstrably proves is that as these relationships change, so too will the policy that supports the travel and migration of nationals between them.

## Conflict and Natural Emergencies

In scenes similar to the international response to the conflict in **Ukraine** in 2022, and the devastating earthquakes that hit **Türkiye** and **Syria** in 2023 Q1, 2023 Q2 saw international responses to conflict and natural emergencies. Perhaps the most obvious was the response of **Canada** to the escalating conflict in **Sudan** in April. Whilst not alone in creating prioritisation and visa pathways for **Sudanese** citizens fleeing the escalating conflict, **Canada** announced special concessions and waving of certain processing fees for **Sudanese** nationals who are temporary residents in **Canada** and



had need to seek an extension to extend their stay. Similarly, **Canada** waived fees for **Canadian** citizens or permanent residents in **Sudan** seeking to apply for passports or permanent resident travel documents; and the prioritisation of family visit, temporary, and permanent residence applications for certain **Sudanese** nationals currently in **Sudan**. In June, **Egypt** announced new visa procedures aimed to regulate the entry of **Sudanese** nationals, with the **Egyptian** Foreign Ministry confirming that 200,000 **Sudanese** citizens had crossed the border in the first 50 days of conflict. The **Egyptian** Foreign Ministry confirmed that the new requirements were not designed to prevent or limit the entry of **Sudanese** citizens, but to regulate and curb any visa fraud.

Similarly, in June **Canada** opened a new Federal Pathway for permanent residence for skilled refugees and other displaced individuals under the Economic Mobility Pathways Pilot, streamlining the application process and shortening processing times for both for those individuals who have a job offer to fill a range of occupations where there are demonstrable skills shortages (for example in healthcare, software engineering, hospitality and specialist delivery drivers), and for highly skilled refugees without job offers. And remaining in **Canada**, travellers who visited the east coast of **Canada** and the **USA** in June would have been acutely aware of the environmental impact of the wildfires that spread across **Canada** at the beginning of the month. Accordingly, the **Canadian** government has announced that temporary foreign workers and other visitors whose visas expire before September 30th, 2023 will be able to extend or restore their immigration status free of charge.



## 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.