

NOWHERELAND

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A basic social infrastructure accessible for everybody, comprising social welfare, health care, compulsory education, housing, and work, is an important element to meet the policy goals of protecting human rights and creating equitable societies. However, in a migration context, entitlements on access are connected to regulations on migration to and residence on a national territory. Undocumented or irregular migrants (UDM) do not comply with such regulations for various reasons, e.g. as victims of human trafficking, as visa-over stayers, or as asylum seekers that do not leave the territory after a rejection of their asylum application. They live in a NowHereLand, without a legal status, subject to various forms of exploitation.

UDM are among the most vulnerable groups in society. Situations of societal crisis, such as the COVID-19 Pandemic in 2020, hit the most vulnerable groups the hardest. Reports from NGOs indicate that UDM do not dare to show up for COVID-19 testing, that UDM lose work and basic income, and that lockdown measures are incredibly hard to bear given their precarious living conditions.

This is of relevance that goes far beyond a small and marginalized group. Societies not successfully supporting and protecting the most vulnerable have to pay high costs in humanitarian, economic, and public health terms.

The Center for Health and Migration initiated a stock-taking of national regulations concerning inclusion of UDM in basic protection as its Social Responsibility Project 2020. National experts provided information on the respective legal frameworks of social welfare, health care, compulsory education, housing, and work, using a validated template for data collection.

“NowHereLand in Times of Pandemic” puts a focus on the policy question whether a system is acknowledging that UDM may reside on national territory and that they have basic needs. If yes, this should result in regulations that explicitly mention a right to access respective services or a denial of access to such services. Therefore, a dichotomized scale is used, classifying countries as YES or NO concerning entitlement to services. This provides a picture on domestic legal frameworks as the legal basis for granting and/or denying access; it does not provide a picture on actual access to services, which in most situations will be a Yes AND No.

An overall overview and five landscapes show results per country and category. For a closer look, policy briefs per country giving details on respective regulations will be published. Visit www.c-hm.com for updates!

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