



Key Considerations for Future Temporary Protection and Regularization Programs in Latin America

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Executive Summary

Large-scale, unpredictable migration throughout Latin America has in recent decades transformed both host communities and traditional notions of mobility and permanence. In the face of significant movement (including, notably, the mass migration of Venezuelans), societies that were traditionally considered countries of origin or transit have also become migrant-receiving countries. States have, to different extents and in different ways, modified their systems for managing migration, including visa regimes, regional mobility and residence agreements, and asylum systems. However, many of these systems have become overwhelmed, as they often lack the necessary legal and institutional frameworks as well as the technical and financial capacity to process all individuals entering their territory.

In response to these pressures, many countries in the region have developed and implemented temporary protection and regularization programs. These programs were designed as rapid, pragmatic responses to large influxes, and they have been instrumental in regularizing millions of Venezuelans in countries such as Colombia.

These efforts, like other regularization and temporary protection programs in Latin America and globally, aim to simultaneously help receiving-country governments manage arrivals and facilitate newcomers' integration, generally granting work authorization and access to essential services in the midst of crisis. However, these programs also face significant challenges, such as implementation difficulties rooted in incomplete institutional frameworks and high costs, an uncertain future if political will is limited or the

Countries would benefit from a new perspective on regularization and temporary protection, one that balances flexibility and consistency, and the short- and long-term needs of both host communities and migrants.

government changes, and anxiety within host communities as the displacement crisis has worn on. As a result, migrants often end up in a precarious position—holding a regular status but without a pathway to a more permanent one, excluded from opportunities to more fully become part of their new communities and contribute meaningfully to economic growth and development.

In the face of these challenges, countries would benefit from a new perspective on regularization and temporary protection, one that balances flexibility and consistency, and the short- and long-term needs of both host communities and migrants. A first step toward this is building understanding of how regularization and temporary protection programs have functioned to date, including by evaluating their legal basis, which groups have been included or excluded by eligibility criteria, the implications of different validity periods and renewal requirements, and routes to other statuses or permanent residence in the host country.

A review of programs in 11 countries in this and other regions suggests that to achieve a balance between flexibility and sustainability, governments should consider:

- **Rethinking the design of temporary protection and regularization programs and how they connect to the mainstream visa system.** While countries have pragmatically used regularization

measures to provide status to large numbers of displaced individuals, one-size-fits-all solutions begin to show cracks when crises become prolonged. Future temporary measures should be designed with flexibility from the outset, making it possible to adapt them to changing migration pressures. Policymakers should also consider how to build off-ramps from these programs to other, more stable forms of status; how to ensure these pathways reflect the diversity that exists within a country's migration dynamics; and the potential to make temporary protection and international protection mechanisms more complementary.

- ▶ **Anchoring regularization schemes in legislation to improve policy continuity and stability across political shifts.** By institutionalizing migration and integration policies and strengthening institutional capacity to implement them, governments can promote stability and, in doing so, incentivize migrants and host communities (including employers) to invest in newcomers' social and economic integration. Minimizing frequent changes in regularization processes can reduce confusion, support smoother integration, discourage secondary migration, and help communities more fully benefit from migrants' human capital.
- ▶ **Including a range of stakeholders and integration considerations in the design of regularization programs.** Such programs would benefit from a more consultative and inclusive policy formulation process. In addition to national government officials, this process would benefit from insights from civil society, the private sector, and local governments involved in policy implementation. While regularization programs often have a short-term focus, they should nonetheless be designed with migrants' integration in mind; regardless of how long they stay in a country, doing so can not only benefit migrants but also enable them to actively contribute to their host communities.
- ▶ **Addressing gaps in data collection and connecting registration data with national data systems.** Developing effective temporary protection programs depends on being able to diagnose the scope, scale, and nuances of the challenges a migrant population faces. Without accurate, up-to-date, and comprehensive migration data, policymakers lack the necessary information to design targeted policies. Linking migration registries with broader information systems can also aid governments in aligning migration and their countries' economic and social strategies.
- ▶ **Addressing concerns and fears within host communities to foster trust and transparency.** While short-term regularization mechanisms can be handy in a crisis and may be more appealing to a receiving country's public than broader immigration reforms, the latter are better able to provide policymakers, host communities, and migrants with the tools and certainty to handle longer-term migration trends and promote integration. Open communication channels (such as local consultations) and transparency around how a government is managing migration can help foster trust and dispel fears.

When designing future regularization or temporary protection programs, it will be essential for Latin American governments to seek a balance between acting quickly during emergencies and providing routes to more stable, longer-term status should displacement become protracted. Maintaining public and political support for such programs can be challenging, particularly as a crisis wears on, but looking beyond

temporary solutions can help countries avoid the drawbacks of migrants' partial integration and leverage migration as a catalyst to advance national development priorities.

1 Introduction

In Latin America, migration has become an enduring reality, reshaping societies and challenging traditional notions of borders and belonging. The region has made notable strides in managing arrivals and regularizing newcomers, with estimates suggesting between 50 and 75 percent of Venezuelan migrants have received some form of temporary regular status at some point.¹ However, policy measures that were enacted in the throes of crisis may have outlived their usefulness now that the region has settled into a new migration reality. On the one hand, the types of temporary permits that proliferated in this period provide a degree of protection, granting migrants access to basic services and legal recognition and ensuring people are not living in the shadows. On the other hand, the temporariness of these measures has often

In Latin America, migration has become an enduring reality, reshaping societies and challenging traditional notions of borders and belonging.

hindered deeper integration, leaving migrants in a state of limbo that makes it difficult to fully become part of their new communities and more meaningfully contribute to their economic growth and development. This impermanence can fuel instability, creating a cycle of marginalization and undermining the potential benefits migration can bring to a society.

Designing effective regularization programs that can balance short- and long-term needs—and also gain the support of national publics anxious about migration—is no easy feat. In a world where protracted conflicts and economic instability are becoming the norm, countries in the region are under new pressure to design regularization policies that balance flexibility with long-term integration goals. Each part of the design process—from the way the legal framework is structured and eligibility and documentation criteria are chosen, to what benefits status confers and the nature and cost of renewal processes—entails trade-offs that governments must grapple with.

Ultimately, the goal is to strike the right balance between being able to act swiftly during crises while laying the groundwork for an eventual transition to a longer-term status if displacement becomes protracted. This approach must also maintain public and political support, both of which are vital for continuity and success. If done well, such policy mechanisms can help a society tap into migration's full potential as an engine for development and unlock benefits that go beyond immediate crisis management.

As countries across the region begin to think through what their second-generation regularization programs should look like, it is vital for policymakers to understand the trade-offs between different design elements. To better inform this process, this report analyzes and compares different regularization initiatives, drawing examples not only from Latin America but from around the world (see Box 1 for details).

¹ Luciana Gandini and Andrew Selee, *Betting on Legality: Latin American and Caribbean Responses to the Venezuelan Displacement Crisis* (Washington, DC: Migration Policy Institute, 2023).

The report synthesizes the results of this research and offers recommendations for countries looking to move beyond temporary solutions to more durable, long-term policy frameworks, and in doing so, to avoid the pitfalls of migrants' partial integration and to more fully leverage migration's potential benefits.

BOX 1 About This Project

To develop this comparative analysis, Migration Policy Institute (MPI) researchers examined regularization and temporary protection initiatives in a variety of countries and regions, choosing 11 for closer analysis: Brazil, Chile, Colombia, the Dominican Republic, Ecuador, the European Union, Morocco, Peru, Spain, Turkey, and the United States. Through a case study methodology, the researchers explored the legal foundations of regularization programs in these jurisdictions and then carried out a secondary data analysis of program implementation results. They also consulted with more than 50 experts (from academia, national and local governments, the private sector, and civil society) and leveraged previous fieldwork conducted by MPI to understand not just what these programs look like on paper, but what their successes and challenges have been on the ground.

2 The Regularization Landscape in Latin America

Historically, Latin American countries have employed various policy mechanisms to provide status to incoming immigrants, including visa regimes, regional mobility and residence agreements, and protection and asylum systems. However, in recent decades, sudden mass movements—including the emigration of 7.8 million Venezuelans since 2015²—have highlighted two key incompatibilities between these movements and existing migration management tools: first, the fact that many people on the move in the region do not fit the traditional definition of “refugee” (even the more encompassing definition under the 1984 Cartagena Declaration on Refugees³), and second, that many countries' immigration systems lack the legal and institutional frameworks—and often also the technical or financial capacity—to process all incoming individuals.

In response, and stemming from both a sense of solidarity and pragmatism, Latin American countries have developed and implemented a number of ad hoc, temporary protection and regularization programs.⁴ Through these programs, governments have facilitated the transition of millions of migrants, many of whom would not have been eligible for or able to access asylum, from irregular to regular statuses, albeit often temporary ones.

2 Regional Interagency Coordination Platform for Refugees and Migrants from Venezuela (R4V), “[Refugees and Migrants from Venezuela](#),” accessed April 21, 2025.

3 Under the Cartagena Declaration, which has a broader definition of who is a refugee compared to the 1951 Refugee Convention and its 1967 Protocol, refugees also include “persons who have fled their country because their lives, safety, or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights, or other circumstances which have seriously disturbed public order.” See “[Cartagena Declaration on Refugees](#),” Conclusion III, No. 3, November 22, 1984.

4 Gandini and Selee, *Betting on Legality*.

A. *Timeline of Regularization Programs in the Region*

While temporary protection and regularization programs have existed in Latin America for decades, the surge in Venezuelan emigration since 2015 prompted a notable increase. Some countries (such as Brazil, Chile, Costa Rica, and Mexico) have primarily used visa and asylum systems to provide legal status to incoming immigrants, but many countries have implemented novel regularization mechanisms (more than 24 such initiatives) since 2015, with Colombia, the Dominican Republic, Ecuador, and Peru regularizing particularly notable numbers of Venezuelans.⁵

Peru launched a mass regularization program in 2017, offering temporary status for one year to Venezuelans via the Temporary Residence Permit (Permiso Temporal de Permanencia) and providing subsequent pathways to settlement.⁶ More than 460,000 Venezuelans obtained temporary residence through this regularization campaign (of whom 315,268 eventually received permanent residence), and the government has since carried out two additional regularization processes: the Temporary Permit of Permanence Card (Carné de Permiso Temporal de Permanencia), which offered temporary status to more than 200,000 Venezuelans, and the establishment of a humanitarian permit called the Humanitarian Migratory Status (Calidad Migratoria Humanitaria) for individuals with pending asylum applications.⁷

In 2017, Colombia launched a temporary status program for Venezuelans who had entered the country legally. And by 2021, the country had implemented an additional six regularization programs, eventually also including those who had entered irregularly. These programs, all of which were called a Special Permit to Stay (Permiso Especial de Permanencia, or PEP), allowed for the regularization of more than 700,000 Venezuelans, who received two-year residency permits.⁸ In 2021, the government expanded regularization opportunities by launching a ten-year, application-based mechanism called the Temporary Statute of Protection for Venezuelan Migrants (Estatuto Temporal de Protección para Migrantes Venezolanos, or ETPV), through which Venezuelans can receive a Temporary Protection Permit (Permiso por Protección Temporal, or PPT). This permit offers a pathway to permanent residence and has been approved for more than 2 million Venezuelans.⁹

Ecuador, meanwhile, introduced the Exceptional Temporary Residence Visa (Visa de Residencia Temporal de Excepción, or VIRTE) in 2022, through which more than 59,000 individuals applied for temporary status and close to 47,000 were approved.¹⁰ The program was rolled out in three phases, beginning with Venezuelans who had entered the country regularly, followed by nationals of other countries who had also arrived regularly, and concluding with Venezuelans who had entered the country irregularly. Between August 2024

⁵ Gandini and Selee, *Betting on Legality*; Diego Chaves-González and Natalia Delgado, *A Winding Path to Integration: Venezuelan Migrants' Regularization and Labor Market Prospects* (Panama City and Washington, DC: International Organization for Migration and Migration Policy Institute, 2023).

⁶ Andrew Selee and Jessica Bolter, *An Uneven Welcome: Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration* (Washington, DC: Migration Policy Institute, 2020).

⁷ Gandini and Selee, *Betting on Legality*.

⁸ Selee and Bolter, *An Uneven Welcome*.

⁹ Migración Colombia, "Estatuto Temporal de Protección para Migrantes Venezolanos - ETPV," updated January 28, 2025.

¹⁰ Gandini and Selee, *Betting on Legality*.

and early 2025, the Ecuadorian government completed another round of regularizations under VIRTE II,¹¹ for individuals who were not able to regularize their status during the initial program.¹²

At the beginning of 2021, the Dominican Republic adopted the Normalization Plan for Venezuelans (Plan de Normalización de los Venezolanos). This resolution provided Venezuelans who entered the country legally between January 2014 and March 2020 a 60-day extension of stay, during which they could apply to change their immigration status to a one-year, renewable permit valid for work or study, without having to first return to their country of origin.¹³ The regularization campaign resulted in 25,000 approved applications (of approximately 43,000 submitted) by December 2023.¹⁴

These regularization programs have often been praised for the degree to which they can facilitate newcomers' integration, including by granting work authorization and access to essential services. Proponents have also emphasized the programs' potential to increase tax revenue, help regulate informal economies, improve public security by preventing exploitation and discouraging illegal activity, and support migrants' social integration and broader social cohesion.

B. Challenges Facing Regularization Programs

As countries transition from implementing emergency mechanisms to thinking through long-term migration solutions, there is a need to develop a second-generation approach to regularization—one that acknowledges the reality that migrants are no longer temporary visitors and many are unlikely to return to their origin countries. Additionally, such solutions should reflect an understanding that new waves of immigration could result from large-scale deportation efforts by popular destination countries such as the United States; for example, some deported migrants may attempt to move to other countries in the region, while others may remain in countries agreeing to accept deportees who are not their own nationals.¹⁵ To enable migrants to become long-term contributors to their host countries, new policy measures should shift the focus away from short-term, temporary permits to creating pathways to a more permanent status. The vision for long-term integration, however, faces a number of barriers in the Americas.

As countries transition from implementing emergency mechanisms to thinking through long-term migration solutions, there is a need to develop a second-generation approach to regularization.

First, many countries in the region, when responding to migration pressures, still rely on agencies originally designed with an outward focus, managing policies related to emigrants rather than immigrants. As a result,

11 United Nations High Commissioner for Refugees (UNHCR) Ecuador, “Visas,” accessed April 2025.

12 UNHCR Ecuador, “Visas.”

13 Government of the Dominican Republic, “Resolución que Normaliza Dentro de la Categoría de No Residente la Situación Migratoria Irregular de los Nacionales Venezolanos en Territorio Dominicano” (resolution 119–2021, January 2021; R4V, “Update on the Normalization Plan for Venezuelans - Dominican Republic” (fact sheet, April 2023).

14 R4V, “RMRP 2024 Dominican Republic” (fact sheet, March 2024).

15 Gustavo Martínez, “16 Migrantes deportados por Trump piden asilo en Costa Rica,” *Diario Extra*, April 4, 2025.

these agencies may be poorly equipped to handle the complex issues that shape foreign-born individuals' longer-term settlement and integration into a society.

A second set of hurdles relates to uncertainty about the future. Full-throated political support for long-term integration strategies has often been lacking or waned over time, with many policymakers in the region seeking to adopt stricter policies,¹⁶ despite overwhelming evidence that most migrants are not likely to return to their countries of origin.¹⁷ Because regularization programs are often ad hoc tools (and thus may lack a legislative basis), many can—and have been—suspended easily, at times without much legal justification. Additionally, the temporary nature of many programs, which may require migrants to renew their permits every few years, has resulted in many individuals holding a regular status temporarily but eventually falling back into irregularity. Together, the temporary nature of these programs and their vulnerability to political will have created a sense of uncertainty for many migrants and host communities alike.

Third, transitioning to a longer-term status can be financially costly and logistically challenging. Across countries in the region, the cost of obtaining a resident visa and official identification documents ranges from free (for example, Ecuador's International Protection Visa¹⁸) to several hundred dollars (the Dominican Republic's Temporary Worker Permit costs about USD 200¹⁹). If governments seeking to scale up regularization efforts were to reduce or eliminate such fees, which can be prohibitive for some migrants and thus limit participation, that could shift significant costs onto states. This prospect alone can be daunting, and the costs of supporting newcomers' integration extend beyond the permits themselves—even if, in the long run, migrant contributions to a community can be similarly significant.²⁰ While the region has recognized the need to explore innovative funding mechanisms in various forums such as the Los Angeles Declaration on Migration and Protection, Quito Process, Cartagena Declaration+40 Process, Regional

16 Chilean National Migration Service, “Cámara aprueba mejoras a la Ley de Migración y Extranjería,” updated March 26, 2025; Cristóbal Palacios, “Perú promulga ley que permite expulsar a extranjeros que no se identifiquen ante las autoridades,” *La Tercera*, December 16, 2024; Martín Adames Alcántara, “The Dominican Republic Will Crack Down Harder on Migrants as Haitians Flee Violence,” Associated Press, April 7, 2025.

17 Abby Córdova, Jonathan Hiskey, Mary Malone, and Diana Orcés, “Undeterred: Understanding Repeat Migration in Northern Central America,” *Journal on Migration and Human Security* 12, no. 3 (2024): 160–181; Cássius Guimarães Chai, Fernanda Nunes Trindade, and Karla Louhanny Dutra Santos, “The Brazilian Government in Coping with the Venezuelan Migratory Flow and the Need to (Re) Think about Public Policies of Migration: A Human Rights Perspective Analysis,” *Revista Diálogos Possíveis* 12, no. 1 (2021): 75–98; Noah Bullock, “Deported to Displacement in Central America,” Internal Displacement Monitoring Centre, September 25, 2018; Miryam Hazán, “Understanding Return Migration to Mexico: Towards a Comprehensive Policy for the Reintegration of Returning Migrants” (working paper 193, Center for Comparative Immigration Studies, University of California, San Diego, September 2014); Parliamentary Assembly of the Council of Europe, “The Impact of the Global Economic Crisis on Migration in Europe” (resolution 1718 [2010] final version, April 27, 2010).

18 Embassy of Ecuador in the Dominican Republic, “Portal eVisas – visas electrónicas para Ecuador,” accessed March 15, 2025.

19 Government of the Dominican Republic, “Permiso para trabajadores temporeros,” accessed March 15, 2025.

20 Stephania Spitale et al., *Análisis exploratorio de la contribución fiscal y económica de la migración venezolana en Perú* (N.p.: Equilibrium Social Development Consulting and International Organization for Migration, 2024); David Licheri et al., *Impacto fiscal de la migración venezolana en Colombia: realidad vs. potencial* (N.p.: Equilibrium Social Development Consulting and International Organization for Migration, 2024); David Licheri, Consuelo Reyes, and Juan David Rojas, *Estudio de impacto económico de la migración venezolana en Chile: realidad vs. potencial* (N.p.: Equilibrium Social Development Consulting and International Organization for Migration, 2024); Sebastian Chaskel et al., “Potenciar la financiación basada en resultados para aprovechar cada dólar al máximo,” *Forced Migration Review* 74 (2024): 90–95; International Organization for Migration, Regional Office for Latin America and the Caribbean, “Los 3 beneficios de la migración internacional que transforman economías y sociedades en el mundo,” accessed April 21, 2025.

Conference on Migration, and South American Conference on Migration, comprehensive strategies to channel and scale up funding are still scarce.

A fourth challenge for efforts to foster long-term immigrant integration in the region has been of a social nature. Migration has generated anxiety in many host communities, often stemming from fears of competition for jobs, resources, and services in countries where significant segments of the local population are already experiencing poverty and inequality. Public awareness campaigns have sought to foster a welcoming environment and allay fears, but the scale and protractedness of migration and displacement into many countries have rendered them insufficient. In areas where governmental or public

Latin American countries are increasingly seeking to develop comprehensive strategies that align migration with broader societal and development goals.

attitudes have been more apprehensive toward migration, regularization programs and suggestions of longer-term integration have been met with public pushback or resentment toward immigrant communities, which are villainized or weaponized in service of political objectives (for example, critics often suggest regularization programs encourage more irregular migration).

In response to these challenges, Latin American countries are increasingly seeking to develop comprehensive strategies that align migration with broader societal and development goals. More governments are exploring how migration can be leveraged as a catalyst for achieving shared objectives, such as advancing the green transition, modernizing rural economies, and strengthening health, education, and pension systems.²¹ In Colombia, for instance, various departments and mayor's offices have included migration considerations in their development plans.²² By framing migration as integral to these larger aspirations, governments are increasingly looking to build a more cohesive narrative that unites communities around common goals.

3 What Can Be Learned from Regularization Initiatives Around the World?

Regularization programs across the Western Hemisphere—and indeed across the world—differ dramatically when it comes to how they are conceptualized and structured. These design differences reflect deeper political debates, including about whether and how regularization initiatives may encourage further irregular migration or effectively promote long-term integration and enhance public security. This section distills lessons from regularization programs in this study's 11 case study countries, shedding light on the pros and cons of different design decisions and the rationale behind them.

21 Migration for Development, "Ecuador - El Aporte de la Migración al Desarrollo Sostenible," accessed April 21, 2025; International Organization for Migration, "Finaliza con éxito la asistencia técnica de la OIM en el proyecto Comunidades Energéticas del Ministerio de Minas y Energía," updated September 2024.

22 Sebastián Bitar, "Migración en Colombia y respuestas de Política Pública" (working paper PNUD LAC PDS No. 34, United Nations Development Program, New York, 2022).

A. *Legal Underpinnings: How Easily Are Permits Implemented and Sustained?*

The legal foundation for temporary protection and regularization programs varies widely across national contexts. Some rely on pre-existing laws, which make them quicker to implement during a displacement crisis and more resilient across political cycles. Having a legal framework for such measures already in place can also help governments avoid contentious public debates or political backlash, at times amplified by extensive media coverage, in the midst of a crisis.

The European Union's Temporary Protection Directive (TPD) is a good example of how pre-existing legal mechanisms can facilitate prompt responses to a crisis. When Russia launched a full-scale invasion of Ukraine in February 2022, the TPD was activated within nine days, allowing the European Union to grant temporary protection to Ukrainians fleeing the war. Originally adopted in 2001 in the wake of conflict in Yugoslavia, the TPD aims to balance EU Member States' efforts to receive displaced persons and establish minimum standards for temporary protection. The directive's legal grounding stems from the Treaty on the Functioning of the European Union, which instructed the European Parliament and Council to adopt "measures for a common European asylum system" when facing a sudden inflow of third-country nationals. Although the TPD had been invoked in the past, it was never formally activated until the Ukraine displacement crisis.²³ When the TPD is activated, EU Member States are directed to grant temporary and immediate protection to displaced persons from designated non-EU countries.²⁴ This immediate grant of status, which does not involve screening individual cases, has helped Europe avoid national asylum systems being overwhelmed.

Similarly, the United States' Temporary Protected Status (TPS) has statutory basis by its codification in the *Immigration Act of 1990*. TPS replaced the earlier Extended Voluntary Departure program, and it is a more structured approach to providing temporary protection to immigrants from specific designated countries who are already present in the United States and unable to return to those countries due to unsafe conditions there.²⁵ The Secretary of Homeland Security has the authority to designate countries for TPS based on local conditions preventing migrants' safe return (such as armed conflict or environmental disasters), offering permission to reside and work legally in the United States for up to 18 months. Countries' designations can be extended if conditions persist or worsen. Designations, extensions, and terminations involve an administrative process through which the secretary justifies the decision, a mechanism that seeks to balance facilitating a rapid response to emergencies while ensuring procedural safeguards prevent the arbitrary misuse of the measure.²⁶ The U.S. Department of Homeland Security's decision in early 2025 to terminate the 2023 designation of TPS for Venezuelans on the grounds that permitting them to stay is not

23 Katrien Luyten, "Temporary Protection Directive" (briefing, European Parliamentary Research Service, July 2024).

24 The Council can activate the Temporary Protection Directive, based on a proposal from the Commission, when the Council determines that a mass influx of displaced persons threatens to overwhelm national asylum systems. See European Commission, "Temporary Protection," accessed March 15, 2025.

25 Lynda J. Oswald, "Extended Voluntary Departure: Limiting the Attorney General's Discretion in Immigration Matters," *Michigan Law Review* 85, no. 1 (1986).

26 In addition to origin-country conditions, decisions about whether to extend or terminate a TPS designation—or in other countries, some other temporary status—may take diplomatic considerations into account. For example, continuing to provide temporary protection to nationals of a certain country can have a favorable effect on bilateral relations if it increases that country's willingness to collaborate on migration management.

in the “national interests” of the United States,²⁷ rather than because conditions in Venezuela have changed, may signal a shift in why and how TPS designations are granted and revoked, though this decision is subject to ongoing litigation.

Spain, meanwhile, has a mechanism—known as *arraigo*—for regularizing the status of qualifying immigrants on a rolling basis, based on a 2004 royal decree that elaborates on provisions in *Organic Law 4/2000*.²⁸ This is not, however, Spain’s first such measure. Between 1986 and 2005, Spain carried out six mass regularization processes, each garnering both support (e.g., because regularized migrants would contribute more to the country’s tax base and social security programs) and political pushback, particularly from northern European nations wary of the prospect of newly regularized migrants moving freely to other EU countries.²⁹ By embedding *arraigo* into its regular immigration system, Spain has moved away from ad hoc regularization campaigns, allowing it greater flexibility to adapt to shifts in migration patterns while avoiding the political backlash that can come with high-profile mass regularization initiatives. Under the current program, irregular migrants who do not have a criminal record can qualify for legal status if they meet certain residence, employment, family, and/or social integration criteria.³⁰

By embedding arraigo into its regular immigration system, Spain has moved away from ad hoc regularization campaigns, allowing it greater flexibility to adapt to shifts in migration patterns while avoiding the political backlash that can come with high-profile mass regularization initiatives.

Not all temporary protection statuses and regularization measures rely on formal legislation, however. Many governments have turned instead to executive decrees, which allow them to act quickly in response to displacement crises, compared to the often lengthier process of formally enacting legislation. This approach has been particularly common in Latin America, though not exclusively used there.

Many countries in the region, such as Colombia, Ecuador, and Peru, have traditionally been countries of emigration, and they thus did not have the legislative foundation to grant regular status to the millions of Venezuelans who have arrived since the start of the Venezuelan displacement crisis. As a result, they have largely relied on extraordinary measures to grant newcomers temporary protection. These innovative measures have allowed for a quick response, but they have left protection vulnerable to changing political cycles and shifts in public opinion, leading to a state of constant uncertainty for many Venezuelans and their host communities.

27 U.S. Citizenship and Immigration Services (USCIS), “Termination of the October 3, 2023 Designation of Venezuela for Temporary Protected Status,” *Federal Register* 90, no. 23 (February 5, 2025): 9040.

28 Claudia Finotelli and Sebastian Rinken, “A Pragmatic Bet: The Evolution of Spain’s Immigration System,” *Migration Information Source*, April 18, 2023.

29 Finotelli and Rinken, “A Pragmatic Bet.”

30 Spanish Ministry of Inclusion, Social Security, and Migration, “Autorización de residencia temporal por circunstancias excepcionales. Arraigo social (HI 36),” updated August 2022; Laura García-Juan and Javier Alonso Calderón, “El arraigo social como alternativa legal para los solicitantes de asilo de larga duración en la Unión Europea,” *Migraciones Internacionales* 14 (2023).

For example, Colombia's program offering a ten-year stay permit is arguably the most expansive regularization measure in the Americas and was implemented by decree, without a legislative foundation. However, the ETPV has a limited focus, given the decree's specific intent to respond to the volatile political situation in Venezuela, and the Colombian government may opt to dissolve the measure if its priorities shift. Similarly, the Dominican Republic's Normalization Plan for Venezuelans was instituted through a resolution, and the program's continuation is dependent on the recommendation of the country's Migration Council.³¹ And in Peru, the Humanitarian Migratory Status is based on a resolution and can be renewed annually as long as origin-country conditions persist, a decision that is subject to the judgment and shifting priorities of government leaders.³²

Yet, even when temporary protection statuses are legislatively codified, they can still be susceptible to change in a country's political climate, which can affect the terms, conditions, and implementation of these measures. For instance, Turkey's Temporary Protection Regulation, which is based on the *Law on Foreigners and International Protection*, allows the Directorate General of Migration Management to define requirements and restrictions for temporary protection recipients. As the Syrian conflict became protracted and public support for refugees waned, the directorate general started to impose stricter requirements, limiting Syrians' freedom of movement and implementing criteria that made it easier for the government to deny or rescind protection from individuals (citing, for example, security reasons).³³ This has facilitated increased deportations when negative public opinion spikes.³⁴

In the United States, while TPS as a type of status has a long-standing legal basis, individual TPS designations are vulnerable to changes in administrations and their political agendas.³⁵ For instance, in his first term, President Donald Trump sought to end or not extend protections for TPS beneficiaries of certain nationalities. His successor, President Joe Biden, sought to provide a more durable solution for some TPS beneficiaries, requesting that Congress pass legislation to allow those who meet specific requirements to apply for permanent residence.³⁶ Even though the proposed bill did not become law, the Biden administration extended some existing TPS designations and made new designations for several countries during its tenure.³⁷

31 Government of the Dominican Republic, "Resolución que Normaliza."

32 Government of Peru, "Lineamientos para el otorgamiento y prórroga de la Calidad Migratoria Humanitaria" (resolution N0207-RE, June 16, 2021).

33 Oktay Durukan, *Country Report: Turkey* (Brussels: European Council on Refugees and Exiles, 2015).

34 Durukan, *Country Report: Turkey*.

35 While the designation of individual countries for Temporary Protected Status (TPS) has at times been politically controversial in the United States, the fact that TPS is a lawful authority granted to the U.S. Department of Homeland Security has made it relatively less prone to litigation compared to other temporary programs. A contrasting example is the long-litigated case to terminate the Deferred Action for Childhood Arrivals (DACA) program implemented by President Barack Obama in 2012 as an executive action, which opponents believe is unlawful. Like TPS, DACA offers recipients relief from deportation and the opportunity to seek employment authorization.

36 The White House, "President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize Our Immigration System" (fact sheet, January 20, 2021); U.S. Congress, *U.S. Citizenship Act*, HR 1177, 117th Cong., 1st sess. (February 18, 2021).

37 Alexandria Angela Casarano, "From Trump to Biden: TPS and Other Immigration Policies," Universidad de Navarra, accessed March 15, 2025.

B. *Design Considerations: Who Is Eligible and Who Is Left Out?*

Whether they have a legislative foundation or not, temporary protection programs tend to prioritize collective protection, generally for citizens of a specific country—a policy choice that has both benefits and challenges. By taking a *prima facie* approach, a receiving country confers protection and/or legal status to all persons with certain characteristics (such as a specific nationality), often when it becomes impractical for the country to assess individual protection claims amid large-scale displacement.³⁸ In such cases, the drivers of displacement, such as war, are well documented.³⁹

One key advantage of a *prima facie* or collective protection approach is that it can alleviate the administrative burden on receiving countries' institutions, especially for those not accustomed to large-scale arrivals of migrants and refugees. This was the case, for example, when Colombia, Ecuador, and Peru received and regularized displaced Venezuelans on a *prima facie* basis, which allowed the countries to reach large swaths of the target population without overwhelming their (largely emigration-oriented) migration institutions. Even countries with more robust migration and protection systems may opt for this approach, as EU Member States did to quickly provide temporary protection to millions of Ukrainians without putting undue pressure on already-strained national asylum systems.⁴⁰

Another advantage of *prima facie* approaches is that they reduce the documentation burden on displaced individuals, acknowledging that many people fleeing a conflict or natural disaster may not be able to access certain documents. For example, Turkey has granted temporary protection to all Syrian nationals and stateless individuals from Syria on a *prima facie* basis.⁴¹ This policy does not require individuals to present documentation to prove their eligibility, thereby making it possible for even the most vulnerable and those who cannot access formal proof of identity to apply.⁴² As of April 2025, 2.8 million Syrians were beneficiaries of temporary protection in Turkey.⁴³ In Colombia, the expansive regularization program offering a ten-year stay permit does require applicants to have identification documents, but expired proof of identity is accepted, broadening the pool of potentially eligible Venezuelans.⁴⁴ As of December 2024, 2 million had been authorized for this permit, and 1.8 million had picked up their new identification document under the program.⁴⁵

While collective protection programs are efficient for both governments and recipients, and can provide quick relief during emergencies, they are not without challenges. One key issue is that these programs may unintentionally create disparities between groups with similar protection needs. For example, individuals

38 UNHCR, "[Prima Facie Approach to Recognition of Refugee Status](#)," updated December 6, 2023.

39 UNHCR, "[Prima Facie Approach](#)."

40 UNHCR, "[Morocco—What Happens after I Am Recognised as a Refugee by UNHCR?](#)," accessed March 15, 2025; Organization of Islamic Cooperation (OIC), Standing Committee for Economic and Commercial Cooperation, *Forced Migration in the OIC Member Countries: Policy Framework Adopted by Host Countries* (Ankara: OIC Standing Committee for Economic and Commercial Cooperation, 2016); Delphine Perrin, "La Fabrique d'un Droit d'asile Au Maroc. Circulation Des Normes, Tâtonnements Juridiques, et Atermoiements Politiques," *Revue Des Droits de l'homme* 24 (2023); Younous Arbaoui, "The Impact of the Marrakech Compact for Migration in Morocco: The Role of the Government and of Civil Society," *Verfassung und Recht in Übersee* 55, no. 1 (2022): 19–43.

41 UNHCR, "[Prima Facie Approach](#)."

42 UNHCR, "[Temporary Protection in Türkiye](#)," accessed March 15, 2025.

43 UNHCR Operational Data Portal, "[Syria Regional Refugee Response - Türkiye](#)," updated April 10, 2025.

44 Colombian Ministry of Foreign Affairs, "[Decreto Número 216 de 2021](#)" (presidential decree, March 1, 2021).

45 Migración Colombia, "Estatuto Temporal de Protección."

of different nationalities may be eligible for different processes, benefits, or pathways to permanence. For instance, in Turkey, non-Syrians seeking protection must undergo an individual status determination procedure, even if their needs are similar to those of Syrians. In Morocco, the cases of Syrian refugees are also processed differently from those of other nationalities; while Syrians are protected against forced return, they are ineligible to receive refugee status and instead receive a “receipt” confirming their registration.⁴⁶ In both countries, this approach creates disparities in processing, status acquisition, and protection outcomes based on nationality and despite shared vulnerabilities.

Even within a population covered by a *prima facie* approach, some groups may be left out, depending on the protection or regularization program’s cutoff date, cost, documentation requirements, or other details. Determining a program’s cutoff date is often as much a political as a technical question. To avoid attracting additional arrivals, many governments clearly delineate cutoff dates for their regularization programs, limiting the application window and requiring migrants to have been present in the country before a certain date and to be there when applying. While such cutoff dates may limit system pressures in the short term and be politically appealing, ongoing displacement from the same country often results in continued migrant arrivals, creating a new population without access to status. This, in turn, may pressure the receiving-country government to periodically revise a program’s cutoff dates or enact new regularization measures to encompass more recently arrived migrants.

In some cases, different cutoff dates may apply to different groups. For instance, the ETPV in Colombia allows Venezuelan minors who are enrolled in the school system or affiliated with a Family Welfare Institute program to apply for a PPT throughout the measure’s ten-year validity period. The same is not true for adults, who must have entered Colombia by January 31, 2021 and applied by May 28, 2022, and the measure does not make an exception for parents who miss the cutoff date but whose minor children are able to apply.⁴⁷ Theoretically, these parents have access to standard residence visas through Colombia’s migration law, but in practice, these families can face barriers to staying together. In 2024, to prevent potential family separation issues, the Colombian government discussed a new decree to grant parents access to the PPT.⁴⁸

These disparities can be compounded in mixed-nationality families, in which some members belong to a group covered by temporary protection while others do not. This can result in family members holding different statuses and having access to different services, or in some cases, to some members of a family lacking any form of status. Colombia’s ETPV, for example, was designed specifically for Venezuelans, and Venezuelans who arrive with non-Venezuelan partners or children may find that they are eligible for a ten-year stay permit but their loved ones are not. And while Colombia is a signatory of the Southern Common Market (MERCOSUR) and Andean Community (CAN) regional agreements, which allow nationals of Member States to move to and reside in other Member States, application costs can be a barrier to securing status through these mechanisms.⁴⁹ Mixed-nationality families can thus be left with some regularized members and others without a clear path to remain in the country.

46 OIC Standing Committee for Economic and Commercial Cooperation, *Forced Migration in the OIC Member Countries*.

47 Migración Colombia, “Estatuto Temporal de Protección”; Colombian Ministry of Foreign Affairs, “Decreto Número 216 de 2021.”

48 Colombian Constitutional Court, *Sentencia T-056/24* (February 26, 2024).

49 María Jesús Mora, Ariel G. Ruiz Soto, and Andrew Selee, *Building on Regular Pathways to Address Migration Pressures in the Americas* (Panama City and Washington, DC: International Organization for Migration and Migration Policy Institute, 2024).

The United States' TPS program provides protection on an individual basis, with migrants from designated countries required to each submit an application, provide proof of their nationality and continuous physical presence in the United States since a specified date, and meet other requirements.⁵⁰ TPS beneficiaries cannot extend their status to their spouse or children. On a case-by-case basis, the U.S. government may make exceptions for stateless individuals who last habitually resided in the designated country and for children of a designated country's nationals who were born outside that country but can prove their right to its nationality.⁵¹ However, because each individual must separately go through the application process, mixed-nationality families may find it difficult to obtain protection for the entire family. With the rise of Haitian secondary migration from countries such as Brazil and Chile, for example, some Haitian parents arrive in the United States with children who are Brazilian or Chilean citizens. While not impossible, proving that a child has or can obtain Haitian nationality from a parent and thereby qualify for TPS could be a difficult process for many families.

Recognizing these challenges, some protection programs have adopted flexible provisions to mitigate gaps in coverage. For instance, Ecuador's VIRTE program extends eligibility to applicants' family members, even if they are of a different nationality. The program prioritizes beneficiaries in phases, focusing first on Venezuelans and their family members who entered the country regularly, then on members of other nationalities who entered regularly, and lastly on Venezuelans who entered irregularly.⁵²

Similarly, the European Union's activation of the TPD in response to the war in Ukraine had uncommonly inclusive eligibility criteria, though with clear caveats and differences between Member States.⁵³ The directive required EU Member States to provide protection not only to Ukrainian nationals but also certain non-Ukrainians: stateless individuals and nationals of other countries with a protection status in Ukraine prior to the February 2022 invasion and their family members, and those who held a Ukrainian residence permit and were unable to safely return to their origin country. Member States also had discretion to decide whether to grant protection to others, such as those who had held work or study permits in Ukraine.⁵⁴ This expanded eligibility provided relief to diverse groups affected by the same crisis, though Member States have since limited the protection they offer to non-Ukrainians.

C. *Duration and Renewals: Balancing Short- and Medium-Term Needs*

Temporary protection policies are usually conceptualized as short-term measures, based on an assumption that the conditions driving displacement will be temporary and displaced individuals will be able to return

50 Applicants must file for TPS during the specified registration period, have been continuously residing in the United States since the date designated for their particular country, not be convicted of a felony or two or more misdemeanors, not be inadmissible as an immigrant under the *Immigration and Nationality Act* 212(a), and not be subject to any of the mandatory bars on asylum. See USCIS, "Temporary Protected Status," accessed March 15, 2025.

51 USCIS, "Temporary Protected Status (TPS) for Haiti" (question-and-answer document, accessed March 15, 2025).

52 Gandini and Selee, *Betting on Legality*; Ecuadorian Ministry of Interior, "Aprovechamiento de la contribución de la migración internacional al desarrollo sostenible en los países de América Latina y el Caribe" (presentation, 2023).

53 Andrew Selee, Susan Fratzke, Samuel Davidoff-Gore, and Luisa Feline Freier, *Expanding Protection Options? Flexible Approaches to Status for Displaced Syrians, Venezuelans, and Ukrainians* (Washington, DC: Migration Policy Institute, 2024).

54 European Commission, "Communication from the Commission on Operational Guidelines for the Implementation of Council Implementing Decision 2022/382 Establishing the Existence of a Mass Influx of Displaced Persons from Ukraine within the Meaning of Article 5 of Directive 2001/5, and Having the Effect of Introducing Temporary Protection" (2022/C 126 I/01, 21 March 2022).

to their origin countries relatively soon. Consequently, many do not offer a pathway to permanent residence and do not intend to support the long-term integration of displaced populations. Yet few things about displacement crises are certain, and governments must grapple with questions about how long permits should last, whether they can be renewed, and if so, under what conditions. Some renewable statuses rely on frequent, time-consuming renewal processes, which can place administrative burdens on both government institutions and displaced individuals. Other permits renew automatically, lessening these burdens but potentially raising concern among members of the public about the duration of a crisis. Initial solidarity may be tied to the perceived temporariness of displacement, and public opinion may shift over time as a crisis continues.

Decisions about the duration and renewability of temporary protection and regularization measures thus involve a balancing act between addressing immediate humanitarian needs and avoiding commitments that might be perceived as placing undue strain on receiving societies.

Initial Validity Period

When Turkey introduced the Temporary Protection Regulation for Syrians in 2014, there was no expectation that the crisis would become protracted. At the time, Turkey was actively in dialogue with Syrian President Bashar al-Assad, the bilateral visa-free agreement the countries signed two years earlier made it easy for Syrians to enter Turkey, and there was a strong belief that the number of refugees would remain low, their stay would be limited, and their return would soon follow.⁵⁵ The Turkish public initially welcomed Syrians, partly driven by Islamic solidarity and widespread sympathy for the victims of conflict, and this support informed initial expectations for the temporary protection they were offered.⁵⁶ However, as the conflict wore on, Turkey found itself supporting a growing refugee population with waning public support.⁵⁷

Similarly, the Colombian public initially demonstrated high levels of solidarity and welcoming attitudes toward Venezuelans, enabling their country's government to issue seven rounds of Special Permits to Stay, each valid for two years,⁵⁸ and in 2021 to implement the program granting ten-year stay permits for millions of Venezuelans. However, as the crisis has stretched on and resources have dwindled, support for regularization has diminished. A 2023 Invamer poll revealing that 56 percent of respondents were now opposed to the government's policy of granting ten-year permits to Venezuelans.⁵⁹

The erosion of public support over time in both cases highlights a common tension in the design of temporary protection programs: The perceived temporariness of displacement can lead to widespread

55 Laura Batalla and Juliette Tolay, *Toward Long-Term Solidarity with Syrian Refugees? Turkey's Policy Response and Challenges* (Washington, DC: Atlantic Council, 2018).

56 Natalia Banulescu-Bogdan, M. Murat Erdoğan, and Lucía Salgado, *Confronting Compassion Fatigue: Understanding the Arc of Public Support for Displaced Populations in Turkey, Colombia, and Europe* (Brussels: Migration Policy Institute Europe, 2024).

57 UNHCR supported the prima facie acceptance of Syrians rather than individual refugee status determination processes, hoping that Turkey would maintain its open-door policy. The agency did so, in part, because this relieved some pressure on its own resources and did not add to existing refugee status determination and resettlement backlogs. See Metin Çorabatır, *The Evolving Response to Refugee Protection in Turkey: Assessing the Practical and Political Needs* (Washington, DC: Migration Policy Institute, 2016).

58 Selee and Bolter, *An Uneven Welcome*.

59 Invamer, *Encuesta Invamer: Agosto 2023* (Medellín, Colombia: Invamer, 2023).

public support for generous protection policies early on, but as a crisis becomes prolonged and public opinion shifts, the government may come under pressure to reassess and scale back such policies.

Renewal Mechanisms

When crisis conditions extend beyond the initial life of a temporary protection or regularization program, policymakers are faced with questions about whether to allow beneficiaries to renew their status, for how long, and on what terms. A need to frequently renew one's status, in addition to creating an administrative burden for the government and migrants, can in some cases involve application costs that can be prohibitive for some individuals and families. Ecuador's VIRTE program grants renewable visas valid for two years; this means that every two years, Ecuadorian officials must process beneficiaries' renewal applications, and each time migrants must pay on average USD 200.⁶⁰

A 2023 report from the UN Special Rapporteur on the Human Rights of Migrants concluded that, because migrants are often at risk of poverty, the high costs of regularization renewal processes are important barriers. Beyond the cost of the visa or permit application itself, these costs may include document translation, photographs and biometrics, as well as lost income when applicants have to take time off work to attend interviews or complete other administrative procedures, all of which can exclude the most financially vulnerable from a program.⁶¹

In the United States, the process for beneficiaries to renew TPS is also costly and requires extensive documentation.⁶² TPS beneficiaries must submit their application during the official re-registration period.⁶³ While the renewal application itself does not have a fee, beneficiaries must separately apply to extend their work authorization, which costs approximately USD 500, and those who apply for travel authorization face additional fees.⁶⁴ Because the status only lasts for up to 18 months at a time, migrants from a country whose designation is extended at the end of that period must renew their status roughly every other year, which poses routine financial costs and creates protracted uncertainty for beneficiaries.

If the renewal requirements are difficult to meet, some people who were initially able to obtain a legal status risk falling into irregularity again.

Renewal processes may also be difficult to navigate. Countries sometimes have different requirements for original regularization and renewal applications (including what documentation must be provided). If the renewal requirements are difficult to meet, some people who were initially able to obtain a

legal status risk falling into irregularity again. In Morocco, civil-society organizations criticized the additional eligibility criteria that regularized migrants looking to renew their permits must meet, such as presenting

60 UNHCR, "Ecuador: Operational Update, May - June 2024" (issue brief, 2024).

61 United Nations, Human Rights Council, "How to Expand and Diversify Regularization Mechanisms and Programmes to Enhance the Protection of the Human Rights of Migrants" (report of the Special Rapporteur on the Human Rights of Migrants, United Nations General Assembly, April 20, 2023).

62 USCIS, "Temporary Protected Status."

63 USCIS, "Temporary Protected Status Designated Country: Haiti," updated February 24, 2025; USCIS, "Temporary Protected Status Designated Country: Venezuela," updated March 19, 2025.

64 USCIS, "G-1055, Fee Schedule," updated March 6, 2025.

a work contract, a rental agreement, and a criminal background check, among other documents.⁶⁵ In the Americas, a study by the International Organization for Migration found that in Costa Rica, the Dominican Republic, and Mexico, inconsistency between the requirements of regularization and renewal processes pose a significant challenge.⁶⁶ For example, while some regularization processes offered waivers for fees or fines early in the Venezuelan displacement crisis, and some governments accepted expired documents as proof of identity, this flexibility may be absent in renewal processes, which can result in some beneficiaries being unable to renew their status.

The Impacts of Uncertainty

When permits expire without a possibility for renewal, individuals who lapse into irregular status may become subject to deportation. This can make the vulnerability displaced individuals face even more acute, as they may purposefully avoid contact with government authorities and service providers.

Frequent changes in regularization instruments and processes can also create uncertainty for host communities, including schools, service providers, and employers. For the private sector to fully embrace these programs and support migrants' economic inclusion, employers need reassurance that they will not lose migrant workers after hiring them and investing in their training. For instance, private-sector actors in Colombia have expressed frustration with the frequent changes in their country's approach, such as renaming the permit displaced Venezuelans hold, altering ID formats, and using different sets of unique identifying numbers—changes that have required employers, banks, and others to adapt their information systems and retrain their staff, which can be time consuming and expensive.⁶⁷

Unreliable information about how many immigrants there are, what their characteristics are, and where in the country they live can also heighten host communities' ambivalence. Accurate, up-to-date, and comprehensive migration data can help address misgivings and enable the government, service providers, and private-sector actors to develop longer-term plans. In Colombia, collecting sociodemographic data helped bolster stakeholder support for the PPT and migrant integration policies (see Box 2 for details).

Ultimately, uncertainty around how long migrants will stay and what benefits and rights they will have (including work authorization) creates an environment in which neither newcomers nor host communities have an incentive to invest in migrants' long-term integration.

65 Sara Benjelloun, "Morocco's New Migration Policy: Between Geostrategic Interests and Incomplete Implementation," *The Journal of North African Studies* 26, no. 5 (2021); Mehdi Lahlou and Bahija Jamal, *Guide of Policies and Applicable Laws in Morocco Relating to Immigrants and Refugees and Their Implementation* (Rabat: Maghreb Action on Displacement and Rights Network and International Migration Association, 2023); AlarmPhone, "These Regularisation Campaigns Are a Trap' - How People on the Move Are Prevented from Obtaining Legal Status in the Western Mediterranean Region," updated December 12, 2023; Bahija Jamal, "Current Moroccan Immigration and Asylum Policy: Eight Years after the Adoption of the 'New Policy,'" *International Journal of Human Rights* 1, no. 1 (May 2021).

66 International Organization for Migration, *Estudio regional: programas y procesos de regularización migratoria* (San José, Costa Rica: International Organization for Migration, 2021).

67 Comments during a Migration Policy Institute focus group with private-sector representatives in Colombia, March 2024.

BOX 2**Colombia's Emphasis on Migration Data Collection**

The Colombian government has long emphasized the importance of data collection for the effective design and implementation of migration policies. While Colombia has received international praise for its high-profile regularization measures, it has implemented less-recognized but highly impactful data initiatives as well. Most notably, applicants for a Temporary Protection Permit (PPT) were required to first enroll in the Unique Registry for Venezuelan Migrants (RUMV) and complete the Socioeconomic Characterization Survey.

Because such a large share of Venezuelans applied for regularization, the survey functioned almost as a census. Migración Colombia, the agency responsible for the detail-rich dataset, has signed data-sharing agreements with other government entities to enable them to use this information to improve their policies. For example, with the help of the data, the Ministry of Health has been able to improve its registration of Venezuelans in the country's social protection system; the Ministry of National Education has been better able to track immigrant students in the school system; and the Ministry of Commerce has sought to strengthen its entrepreneurship programming. Although room for improvement remains (such as on reducing duplication between information systems and harmonizing data-sharing practices), this dataset has nonetheless been an important tool for evidence-informed policymaking.

Sources: Author interview with representatives of the Colombian Ministry of Commerce, Industry, and Tourism, June 22, 2022; author interview with a representative of the Colombian Ministry of Health and Social Protection, June 21, 2022; author interview with representatives of the Colombian Ministry of National Education, June 23, 2022.

D. Long-Term Prospects: Pathways to Permanence or Other Statuses

In some countries, temporary protection mechanisms explicitly forbid beneficiaries from transitioning to a long-term status. For instance, in the Dominican Republic, beneficiaries of the Normalization Plan for Venezuelans cannot transition from a nonresident to resident category, meaning they have no access to a more permanent status.⁶⁸ Similarly, in Turkey, while the Temporary Protection Regulation reiterates the principle of nonrefoulement (that is, the prohibition of forced return), beneficiaries of temporary protection are ineligible for permanent status, hindering their long-term integration into Turkish society even if they remain in the country.⁶⁹ And in the United States, TPS does not offer a pathway to permanent residence or citizenship, though beneficiaries can apply for another status (such as a work or student visa, which may or may not open a path to permanent residence).⁷⁰ Furthermore, in June 2021, the U.S. Supreme Court ruled that TPS does not override prior unlawful entry into the country, disqualifying many TPS holders seeking to transition from that status to permanent residence (such as through family or employer sponsorship).⁷¹

In other cases, while permanent residence may be attainable on paper, it may be unclear how temporary protection or regularization beneficiaries would go about obtaining it, or barriers may render that status inaccessible to them. For instance, in Colombia, more than 2 million PPT holders will become eligible for permanent residence in the coming years. However, despite official announcements, there is no clear roadmap for how this transition will occur and how it will be financed, raising concerns that may undermine

68 Government of the Dominican Republic, "Resolución que Normaliza."

69 Government of Turkey, "Temporary Protection Regulation," accessed March 15, 2025.

70 Diana Roy and Claire Klobucista, "What Is Temporary Protected Status?," Council on Foreign Relations, September 21, 2023.

71 Roy and Klobucista, "What Is Temporary Protected Status?"

integration efforts.⁷² Similarly, in Ecuador, many VIRTE holders will likely seek permanent residency, but the process requires updating and notarizing an applicant's documents, which can pose a significant challenge due to the closure of Venezuelan embassies and consulates in the country.⁷³

In the European Union, countries did not initially plan for the possibility of TPD beneficiaries staying for longer, and questions remain regarding the legal basis for further extensions of protection for Ukrainians.⁷⁴ Originally valid for only a year, the directive has been extended several times—most recently, until March 2027.⁷⁵ This broad interpretation of the TPD has proved controversial with some legal scholars, who also say the decision to repeatedly extend temporary protection delays access to a more permanent status.⁷⁶ As it stands, if TPD were to end, the options for Ukrainians who wish to stay in the European Union include: apply for a work permit or other form of regular status, seek asylum (though it is unclear how many would qualify and which EU country would be responsible for their applications), or apply for an alternative protection status, the availability of which depends on the EU Member State.⁷⁷

Compatibility with International Protection Regimes

Many temporary protection programs operate on a different track from international protection regimes, and migrants can only hold one form of protection at a time. Asylum can have greater long-term benefits for successful applicants (in terms of stability of status and access to services) but a much longer processing time—and no guarantee of success. For example, in Colombia and Ecuador, individuals granted asylum are eligible for permanent residence in five and two years, respectively.⁷⁸ However, the wait time for asylum case adjudications is approximately five years in Colombia and two years in Ecuador.⁷⁹ This has presented displaced individuals with a difficult choice: apply for a temporary permit, get status quickly, and accept uncertainty about the long term, or pursue an asylum claim in the hopes of attaining more robust protection, but at the risk of missing the regularization window.

This difficult choice can be seen across Latin America. In Colombia, facing long adjudication processes and without access to formal employment, many Venezuelan asylum applicants (including those with legitimate international protection concerns) have opted for the ten-year permit offered by the ETPV due to its faster processing and work authorization provisions. Nevertheless, this decision forces them to withdraw their asylum applications,⁸⁰ compromising their access to longer-term protection and the principle of

72 Comments during a Migration Policy Institute focus group with development agency representatives in Colombia, March 2024.

73 Nestor Aguilera and Luis Felipe Rojas, "¿Cómo impacta a los venezolanos el cierre de sus consulados en Ecuador?," *Voz de América*, May 13, 2024.

74 Selee, Fratzke, Davidoff-Gore, and Freier, *Expanding Protection Options?*

75 Nicoletta Ionta, "EU Offers Ukrainian Refugees Another Year of Protection, but Eyes Phase-Out," *Euroactiv*, June 4, 2025.

76 Meltem Ineli-Ciger, "Legal Landmine: The Risky Proposition of Extending the Application of the EU Temporary Protection Directive beyond March 2025," *EU Law Analysis* (blog), May 31, 2024.

77 European Council on Refugees and Exiles, *Transitioning Out of the Temporary Protection Directive* (Brussels: European Council on Refugees and Exiles, 2024).

78 Colombian Ministry of Foreign Affairs, "Visa M Refugiado," updated April 1, 2025; UNHCR, "Ecuador—Naturalización," accessed March 15, 2025.

79 Benoît Bosquet and José Samaniego, "Esperanza y Obstáculos: El Largo Camino de Los Refugiados Hacia La Integración Social y Económica En América Latina," *World Bank*, June 20, 2024.

80 Colombian Ministry of Foreign Affairs, "Decreto número 216 de 2021"; Latin American and Caribbean Economic System, "Migración en Colombia: desafíos y oportunidades," updated January 12, 2023.

nonrefoulement. In the Dominican Republic, meanwhile, Venezuelans who wish to apply for status under the Normalization Plan cannot have applied for asylum before.⁸¹

Parallel tracks are evident in other regions as well. Syrians in Morocco and Turkey, for example, are ineligible for refugee status determination. Turkey is a signatory of both the 1951 Refugee Convention and 1967 Protocol, but it maintains geographical limitations that reserve refugee status for people displaced by “events occurring in Europe”; people displaced by events elsewhere may still qualify for another protection status, as Syrians have, but those statuses generally do not support long-term integration.⁸² Morocco is similarly a signatory to both the 1951 Convention and 1967 Protocol, but it lacks a comprehensive asylum system and delegates refugee status determination to the United Nations High Commissioner for Refugees (UNHCR).⁸³ Morocco’s decision to process Syrians separately and to not grant them refugee cards has meant that while Syrians are protected from refoulement and may still access some services provided by UNHCR and nongovernmental organizations, they are not eligible for residence permits and cannot access the formal job market.⁸⁴

In some contexts, certain populations have been included in temporary protection measures even though the policies are not the most suitable option for them. In Colombia, concerns have been raised over the inclusion of Colombian-Venezuelan migrants and Colombian returnees in the ETPV process.⁸⁵ Thousands of individuals entitled to Colombian nationality applied for the ETPV, despite possessing rights beyond what the program confers, including the right to political participation. This is partly due to Colombian migration policies’ dominant focus on Venezuelans in recent years, with Colombian returnees given less attention in government policies and communication campaigns. According to civil-society organizations, thousands of Colombian-Venezuelans were approved for the ETPV but failed to collect their documents after they were informed of their rights to citizenship.

In some contexts, certain populations have been included in temporary protection measures even though the policies are not the most suitable option for them.

It is understandable that countries distinguish between international protection and national temporary protection programs, given the different legal basis, target populations, and supports associated with each. However, when individuals do access temporary protection, the hope is that this is because it is the best fit for their case rather than because, despite qualifying for a more durable status, they are unable to access it through the international protection or mainstream migration system.

⁸¹ Government of the Dominican Republic, “Resolución que Normaliza.”

⁸² Grand National Assembly of Turkey, *Law on Foreigners and International Protection*, Law No. 6458 (April 4, 2013); UNHCR, “Refugees and Asylum Seekers in Türkiye,” accessed April 10, 2025.

⁸³ UNHCR, “Morocco—What Happens after I Am Recognised as a Refugee?”

⁸⁴ OIC, Standing Committee for Economic and Commercial Cooperation, *Forced Migration in the OIC Member Countries*; Abdallah Azrar, “Politique migratoire et trajectoires des réfugiés syriens au Maroc : Étude de cas à Casablanca,” *Migrations Société* 2024/4, no. 198 (2024): 129–141.

⁸⁵ Comments during a Migration Policy Institute focus group with civil-society representatives in Colombia, March 2024.

4 Looking Forward

The concept of temporariness is a double-edged sword. On the one hand, it provides governments flexibility, allowing them to create new legal statuses in emergencies when speed is of the essence and legislative processes would be slow to respond. Offering only temporary status can also help allay the fears of anxious receiving-country publics. On the other hand, temporary statuses are difficult to sustain in displacement crises that stretch on past a few years and become protracted. Thus, while temporary protection measures can be a vital part of addressing immediate needs, they can create long-term challenges if beneficiaries are left in limbo without a clear pathway toward stability, and the administrative, social, and political costs of these status can begin to compound.⁸⁶

While temporary protection measures can be a vital part of addressing immediate needs, they can create long-term challenges if beneficiaries are left in limbo without a clear pathway toward stability.

Governments in Latin America have demonstrated remarkable solidarity by welcoming and regularizing migrants in response to political, economic, and environmental crises, but it is important that policymakers now shift from reactive, short-term approaches to sustainable, long-term solutions. The focus should be on creating options for displaced individuals to transition from temporary to more permanent statuses and supporting their fuller

integration in their host communities, not only providing more stability for migrants but also promoting more cohesive societies and leveraging the benefits migration can hold for national development strategies.

Lessons from temporary protection and regularization programs in this and other regions point to the following recommendations:

A. *Tailor Policy Mechanisms to Reflect the Diversity of Human Mobility*

As the migration landscape in most Latin American countries has shifted, these countries' best interests can no longer be served exclusively by "exceptional" regularization measures, which are narrow in scope, vulnerable to political shifts, and can create uncertainty for migrants and host communities alike. Instead, there is a need to think through how temporary permits can connect to other statuses (potentially even offering a pathway to permanence). This means:

- **Making temporary mechanisms more adaptable to changing long-term realities:** Governments should consider building flexibility into the next generation of regularization mechanisms such that they can be adapted to changing circumstances after adoption, without extensive bureaucratic processes. For instance, rather than creating new measures for specific migrant profiles each time a need arises, such as when nationals of a certain country are displaced or mixed-nationality families

⁸⁶ Muzaffar Chishti and Kathleen Bush-Joseph, "In the Twilight Zone: Record Number of U.S. Immigrants Are in Limbo Statuses," *Migration Information Source*, August 2, 2023.

start arriving, governments could rely on a single legal mechanism and adapt its application to the present situation.

- ▶ **Fostering consultative and inclusive policy formulation processes:** Leveraging the expertise of migration actors beyond the national government by soliciting feedback and proactively integrating it into policy adjustments can help ensure policies keep pace with changing circumstances. For instance, donors could support coordination with private-sector representatives to address barriers employers face when trying to hire migrants. Moreover, structured, bottom-up coordination involving local governments and civil-society organizations would help governments formulate or tweak policies to reflect on-the-ground realities, maximize resources, and generate a more sustainable impact.
- ▶ **Considering broader reforms to visa regimes in tandem with regularization measures:** Creating new legal pathways and mechanisms to account not just for immigrants who wish to settle permanently but also those engaged in transit and circular migration, as well as vulnerable groups such as asylum seekers, could help countries more effectively respond to the diversity of human mobility, more so than relying on a single instrument. If it is politically unfeasible to update a visa regime overall, countries could at least consider ways to leverage the regularization infrastructure to connect registered migrants with other pathways that may be more suitable for the long term (for instance, temporary labor regimes for workers who wish to move back and forth between their origin and destination country).
- ▶ **Making temporary protection permits complementary to longer-term international protection mechanisms, for those eligible for both:** National governments could work with UNHCR and civil-society organizations to design specific paths for regularized migrants who are likely to qualify for asylum, through streamlined adjudication processes and permits to work while their cases are pending. Such a process could establish a foundation for future displaced individuals to access the swift relief of temporary regularization, without forgoing the option to apply for asylum and its more robust protection. This dual track could also lessen acute pressures on governments that have limited capacity to screen asylum cases, particularly in times of crisis, and coordination with nongovernmental actors could thin caseloads by helping identify temporary protection holders likely to qualify for asylum.

B. *Anchor Regularization Measures in Legislation to Strengthen Policy Continuity*

Immigrant integration is a long-term endeavor that requires a stable legal foundation. Instability or uncertainty around how long migrants will stay in the country and what benefits and work rights they have creates an environment in which both newcomers and host communities may struggle to plan for the future. Thus, immigration policy reforms should be embedded more firmly in legislation so they can better withstand political shifts. This means:

- ▶ **Institutionalizing migration policies:** Enacting legislative provisions to formalize migration policies would help insulate them from changing political climates and encourage them to be seen as enduring state responsibilities. Establishing mechanisms to regularly review and update migration

laws to adapt to changing migration dynamics, while maintaining the overarching framework, would also be a step forward for many migration systems' stability.

- ▶ **Strengthening institutional capacity:** As policies and systems are refined, parallel investments will be needed in training programs and capacity-building initiatives for government officials involved in migration management to enhance their expertise and skills. Advocating for donor funding to support these efforts could help ensure the robustness of policy implementation and the continuity of institutional knowledge and capacity.

C. *Assuage Public Anxieties by Promoting Consistency and Stability*

Short-term regularization programs are often seen as an easier “sell” to a receiving country’s public, and easier to negotiate in the midst of crisis than comprehensive reforms. However, consistency in the direction of regularization and integration processes is also essential to building trust and providing certainty for migrants, host communities (including employers), and government institutions. Minimizing frequent changes in these processes can reduce confusion, enhance employers’ confidence in hiring migrants, support smoother integration, and discourage secondary migration, which can be risky for migrants and challenging for societies to manage. Consistent policies can also enable host countries to better leverage migrants’ human and demographic capital. When regularization mechanisms establish a predictable and durable pathway for migrants to contribute to a society’s economic growth, workforce needs, tax revenues, and public service sustainability, these measures become a tool for fostering a more constructive dialogue with host communities. This means:

- ▶ **Linking regularization mechanisms with integration policies from the design phase:** From the start, regularization measures should be designed with integration considerations in mind, recognizing that many integration investments will reap dividends regardless of how long migrants end up staying.⁸⁷ For example, reassurance that the legal framework for regularization and the benefits it confers (notably, work authorization) will not change can signal to employers that they will not lose their investments in hiring and training migrants. Such clarity can thus encourage both migrants and receiving societies to invest in integration.
- ▶ **Removing practical barriers to accessing social services:** Successful immigrant integration requires more than just having legal status—it involves being able to fully tap into the benefits and services that status confers, including through registration in a country’s social security system. However, many regularization programs are not designed to connect migrants with these systems, leaving them in a precarious position where they may have legal status but remain excluded from formal employment, health care, and other critical services. Removing barriers that exist in practice would enable newcomers to become active members of their communities and to contribute to local economies.
- ▶ **Leveraging data to foster integration:** National statistics departments often do not collect or analyze migration data in a way that informs labor policies, social security planning, or economic

87 Mayling Aguilar and María Gabriela Párraga, *La integración de las personas migrantes: experiencias, buenas prácticas y desafíos* (San José, Costa Rica: International Organization for Migration, 2023); Laura Gottero, *Caja de herramientas sobre regularización migratoria e integración socioeconómica* (N.p.: International Organization for Migration, 2023).

development strategies. Without this information, both policymakers and the private sector may struggle to integrate migrants into the workforce and national economy. Collecting and analyzing sociodemographic data would help governments to tailor their policies and countries to more fully benefit from migrants' human capital.

- ▶ **Addressing concerns within host communities:** Governments should seek to proactively address local concerns about migration, such as worries about competition for jobs or public services. Open communication channels (such as local consultations) can help community members anticipate the scale and pace of arrivals, while acknowledging a certain level of unpredictability around future flows; this kind of frank discussion can help allay fears. Similarly, transparency around how the government is managing migration can help foster trust and support for inclusion. Publics may also be more likely to support regularization measures if they can see how investments made in immigrant integration (including from international donors) translate into tangible improvements to community-wide infrastructure and public services that benefit all residents.

Despite operating in different migration and policy contexts, countries in Latin America and other regions have grappled with similar challenges when facing displacement crises. To varying extents, governments have had to manage the increasingly protracted stay of displaced individuals while navigating national and subnational politics, institutional constraints, and fluctuating public opinion. Learning from how other countries and regions have navigated these challenges can be an asset for Latin American countries seeking to develop a next-generation approach to regularization and temporary protection.

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