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Regularisation in Europe and North America: Comparative Reflections on Societal Challenges and Benefits

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Executive Summary

In recent decades, irregular migration has emerged as a significant policy concern across the Europe and North America. While border enforcement continues to dominate political discourse, regularisation — mainly the conferral of a regular residence status to those without it — has also become a key policy instrument. Indeed, States have intermittently adopted mass amnesties or individualised mechanisms to address the legal and social limbo of irregular residents. Even in Latin America, over 100 regularisations have been implemented in the 21st century. Such measures are part of the toolkit for policymakers dealing with irregular migration, although they cannot invariably be regarded as standard programmes. This is evident not only in contexts characterised, on the one hand, by high numbers of irregular migrants and, on the other, by persistent labour demands which create ambivalent opportunities. The rationale for regularisation is often but not always pragmatic: persistent labour demands, humanitarian concerns, and the presence of long-term undocumented residents contribute to adopt and shape regularisation solutions.

This report undertakes a detailed comparative analysis across nine Global North countries: Canada, Ireland, the United States, Spain, Germany, Portugal, Belgium, France, and Italy. Drawing on country-specific research and interview evidence from these cases, the objective is to analyse the societal challenges and benefits of regularisation. The report also aims to highlight how the selective and conditional logic underpinning regularisation schemes may reproduce social hierarchies. It contributes to current debates by addressing regularisation capacity to either challenge or reaffirm civic stratification and by reflecting on its broader implications for labour markets, welfare systems, and public goods.

Importantly, we underscore from the outset that our objective is to examine the limitations and contradictions of regularisation policies, while maintaining a forward-looking and constructive perspective. Although often selective, fragmented, and embedded within broader exclusionary frameworks, regularisation schemes nonetheless represent meaningful—if constrained—opportunities. Migrants are not merely passive recipients of these measures; rather, they often mobilise them strategically, navigating their complexities in ways that may elude or surpass established critical categories. By foregrounding these tensions, this report seeks to advance a nuanced understanding of regularisation as a site of both constraint and possibility, with the ultimate goal of informing more inclusive, just, and effective migration governance.

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THE MIRREM PROJECT

MIrreM examines estimates and statistical indicators on the irregular migrant population in Europe as well as related policies, including the regularisation of migrants in irregular situations.

MIrreM analyses policies defining migrant irregularity, stakeholders' data needs and usage, and assesses existing estimates and statistical indicators on irregular migration in the countries under study and at the EU level. Using several coordinated pilots, the project develops new and innovative methods for measuring irregular migration and explores if and how these instruments can be applied in other socio-economic or institutional contexts. Based on a broad mapping of regularisation practices in the EU as well as detailed case studies, MIrreM will develop 'regularisation scenarios' to better understand conditions under which regularisation should be considered as a policy option. Together with expert groups that will be set up on irregular migration data and regularisation, respectively, the project will synthesise findings into a Handbook on data on irregular migration and a Handbook on pathways out of irregularity. The project's research covers 20 countries, including 12 EU countries and the United Kingdom.

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1. INTRODUCTION

This section outlines the research rationale and objectives through a comparative analysis of societal challenges and benefits of regularisation across the Europe and North America.

In recent decades, irregular migration has emerged as a significant policy concern across the Europe and North America. While border enforcement continues to dominate political discourse, regularisation — mainly the conferral of a regular residence status to those without it — has also become a key policy instrument. Indeed, States have intermittently adopted mass amnesties or individualised mechanisms to address the legal and social limbo of irregular residents (Baldwin-Edwards & Kraler 2009, Gonzales 2016). Even in Latin America, over 100 regularisations have been implemented in the 21st century (Acosta and Harris 2022). Such measures are part of the toolkit for policymakers dealing with irregular migration (Pastore 2004, Kraler 2011, Horvath et al. 2017, Mazzilli 2022), although they cannot invariably be regarded as standard programmes. This is evident not only in contexts characterised, on the one hand, by high numbers of irregular migrants and, on the other, by persistent labour demands which create ambivalent opportunities (Van Doorn et al. 2023). The rationale for regularisation is often but not always pragmatic: persistent labour demands, humanitarian concerns, and the presence of long-term undocumented residents contribute to adopt and shape regularisation solutions.

As Bauböck and Permoser (2023) argue, regularisation constitutes one of "three inclusive responses" – alongside sanctuary policies and firewalls – that states can deploy to address the presence of undocumented migrants. Similarly, Hendow at al. (2024) map a seven-type spectrum of national responses to irregular migration —from the most inclusive (granting citizenship/naturalisation or other secure status) to the most exclusionary (rights restrictions, sanctions, and enforced return)— linking them to three policy rationales (beneficial-strategic, situatively responsive, and mandatory). Viewed through this lens, regularisation is one among several pathways out of irregularity that governments may mobilise alongside conditional statuses or the acceptance of 'de facto' presence of irregular migrants, depending on context.

This working paper undertakes a detailed comparative analysis across nine Global North countries: Canada, Ireland, the United States, Spain, Germany, Portugal, Belgium, France, and Italy. Drawing on country-specific research and interview evidence from these cases, the objective is to analyse the societal challenges and benefits of regularisation. This working paper also aims to highlight how the selective and conditional logic underpinning regularisation schemes may reproduce social hierarchies. It contributes to current debates by addressing regularisation capacity to either challenge or reaffirm civic stratification (Morris 2003) and by reflecting on its broader implications for labour markets, welfare systems, and public goods.

Importantly, we underscore from the outset that our objective is to examine the limitations and contradictions of regularisation policies, while maintaining a forward-looking, constructive, and pragmatic perspective (McNevin 2017). Although often selective, fragmented, and embedded within broader exclusionary frameworks, regularisation schemes nonetheless represent meaningful—if constrained—opportunities. Migrants are not merely passive recipients of these measures; rather, they often mobilise them strategically, navigating their complexities in ways that may elude or surpass established critical categories. By foregrounding these tensions, this working paper seeks to advance a nuanced understanding of regularisation as a site of both constraint and possibility, with the ultimate goal of informing more inclusive, justified (Boltanski & Thévenot 2006), and effective migration governance.

The following pages develop around two interconnected thematic axes. The first section, "Interconnected Challenges and the Persistence of Limited Rights", delves into the multiple dimensions that hinder regularisation policies and limit their transformative potential. It begins by addressing political discourse and aversion to regularisation, analysing how the topic is framed as controversial and often delegitimised within national debates. It also considers the crisis-driven and unstructured nature of many initiatives, which are often implemented as ad hoc or temporary responses rather than as part of a stable policy framework. The section further explores eligibility criteria and associated hierarchies: access to status is tied to normative requirements—such as employment, family ties, or criminal records—that reflect and reproduce assumptions of migrant 'deservingness' (Anderson 2010, Chauvin et al. 2013, Rosen & Dickson 2024). Subsequently, bureaucratisation and complexities are analysed, showing how regularisation is embedded in institutional settings marked by administrative discretion, documentation demands, and opaque procedures. This dimension of 'internal bordering' refers to the mechanisms through which states regulate migrants' access to rights, resources, and membership beyond territorial entry points. Rather than a single line between 'inside' and 'outside,' the internal border functions as a set of filtering processes that categorise migrants into shifting statuses (regular or irregular, temporary or permanent, deserving or undeserving), thereby producing uneven and contested forms of inclusion that shape migrants' everyday lives and trajectories (Manolova 2021, Fauser 2024). Temporal aspects also come into play, including the limited duration of many permits, the sequencing of legal transitions, and delays in application processes that can lead to prolonged periods of administrative limbo (Bonizzoni et al. 2025a). Precarity and conditionality further emerge as central and interconnected themes, highlighting how regularised migrants are granted rights that remain restricted in both scope and duration, and continuously contingent upon compliance with administrative, economic, or behavioural conditions. This dual constraint generates persistent insecurity, reinforcing migrants' marginalisation and significantly hindering their long-term social and economic integration (Menjívar 2006, Goldring & Landolt 2013).

The second analytical theme, "Overcoming Challenges: Individual and Collective Benefits", explores how regularisation can enable positive outcomes for both migrants and host societies. It identifies good practices that move beyond the constraints described in the first part, and then investigates the life course trajectories of migrants, showing how the acquisition of residence status can reshape access to employment, education, housing, and personal well-being (Kossoudji & Cobb-Clark 2002, Amuedo-Dorantes et al. 2007, Gonzales

2016, Price & Rojas 2021). Finally, this working paper considers the broader implications of regularisation, despite the limited data available in this field. These include positive effects on labour markets (such as increased formalisation and productivity), fiscal revenues, and access to public services and welfare provisions (Foner & Waldinger 2013, Torres & Young 2016, Kraler 2019). However, the analysis remains attentive to how these collective benefits are unevenly distributed and politically contested.

2. METHODOLOGICAL APPROACH

This chapter presents the methodological framework adopted for the comparative analysis of regularisation practices carried out in the context of the MIrreM research project.

2.1 OVERVIEW

Within the framework of the MIrreM research project, nine country case studies were undertaken—covering Canada, Ireland, the United States, Spain, Germany, Portugal, Belgium, France, and Italy—on the basis of a jointly developed set of guidelines. These guidelines provided a common structure that required each team to examine two dimensions: first, *regularisation over time* (2009–present), identifying turning points, rationales, and patterns of selectivity or deservingness, as well as past criticisms; and second, *regularisation today*, which focused on up to three policies or mechanisms relevant in 2024 and addressed their origins and permanence, underlying rationales (employment, family, humanitarian), access and eligibility criteria, key actors (both formal and informal, such as employers, NGOs, and legal intermediaries), administrative processes and bottlenecks, and—where possible—their effects and impacts, including applications and permits, types and duration of status, status trajectories, labour-market participation, fiscal and welfare implications, and access to services.

To ensure methodological comparability, all case studies combined desk research on institutional data, policy reports, and academic literature with primary qualitative research, either through around ten semi-structured interviews or, alternatively, focus groups of five to seven participants. Interviewees typically included policymakers, officials, representatives of employers' associations and trade unions, NGOs, private intermediaries, and migrants themselves. Common interview and focus-group guides were provided, yet allowed for adaptation to national specificities and to fill knowledge gaps emerging from the desk review.

The overarching research design was elaborated collectively through a series of coordination meetings with all national teams. These exchanges helped align research objectives and establish fundamental methodological parameters, while also acknowledging the need for flexibility. Accordingly, each national team retained discretion to tailor its analysis to the particular data constraints, institutional settings, and policy environments of its country. This balance between shared structure and contextual adaptation enabled both cross-country comparability and sensitivity to national specificities.

For the comparative analysis, a set of key themes was established in advance, drawing both on the shared research guidelines and on issues that emerged inductively from the country case studies. This dual approach ensured that the comparison remained anchored in

common analytical categories while remaining open to capturing context-specific dynamics and innovative insights. The subsequent cross-country analysis was conducted using NVivo software, which facilitated a structured, transparent, and efficient process of coding and comparison. In this way, thematic patterns could be systematically identified, commonalities highlighted, and distinctive national practices recognised. The use of this approach enhanced the depth, coherence, and robustness of the comparative findings.

2.2 CASE STUDY METHODS

Building on this shared framework, each national team implemented its own research design in line with the common guidelines but adapted to national policy environments and data realities. The following case studies briefly outline these methodological choices, illustrating how the balance between a common structure and country-specific adaptation was operationalised in practice.

Canada

The Canada regularisation case study employed a qualitative methodology centred on policy analysis and stakeholder insights. Researchers conducted an extensive document review, examining federal and provincial government reports, statistical publications, Parliamentary debates, and ministerial statements related to irregular migration and regularisation. This documentary analysis was complemented by a set of in-depth interviews with six key stakeholders drawn from relevant categories. Interviewees included policymakers, civil society representatives, members of employers' associations, immigration lawyers, and union representatives, selected purposively to cover the spectrum of actors involved in regularisation processes. The qualitative data from these interviews provided first-hand perspectives on how administrative barriers and policies are experienced in practice. By integrating policy document analysis with stakeholder interviews, the Canadian study was able to explore both the official framework and the on-the-ground challenges of regularisation. This approach yielded a rich qualitative understanding of Canada's complex, often fragmented regularisation initiatives and how they reinforce or alleviate the precarity of non-status migrants (for more on regularisations in Canada, also see Goldfarb et al. 2025).

Ireland

The Irish national case study adopted a methodology combining desk research with targeted stakeholder interviews. Extensive desk research was undertaken to review Ireland's immigration laws, policy documents, court rulings, and existing studies on irregular migration. This established a factual and legal baseline for the analysis. Alongside the document review, the researchers carried out interviews (oral and written) with a diverse group of informants. These included three officials from the Department of Justice (responsible for immigration and regularisation policy), three representatives of civil society organisations actively engaged in migrant support and advocacy, one investigative journalist, and one academic expert in migration law. In total, approximately seven to eight individuals contributed insights, either through face-to-face interviews or written responses. The qualitative interviews provided practical perspectives on Ireland's policies – for example, shedding light on the role of NGOs in pushing for a regularisation scheme and the administrative challenges faced by migrants. By integrating official perspectives (from

government staff) with civil society and expert views, the Irish study's methodology ensured a well-rounded, descriptive account of how regularisation mechanisms have developed and function in practice. The data from interviews, combined with the documentary research, enabled the case study to detail the evolution of Ireland's regularisation initiatives and the rationale behind the 2022 scheme.

United States

The U.S. regularisation case study was grounded in a qualitative research design focused on expert knowledge and literature. A broad literature review was conducted, covering academic research, policy analyses, and reports on U.S. immigration laws and regularisation measures. This review provided historical and contextual background, including the evolution of regularisation-related policies and programs such as the Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS). In addition, the researchers carried out six interviews with U.S. migration policy experts. These interviewees were specialists with deep understanding of American immigration policy, likely including academics, think-tank researchers, or former officials. Through semi-structured interviews, they provided nuanced insights into the political and administrative dimensions of regularisation in the U.S. context. The qualitative data from these expert interviews, when combined with the findings of the literature review, allowed the U.S. case study to present a detailed narrative of regularisation policy development and implementation. The methodology remained descriptive: it mapped out policy changes, case studies (like DACA and TPS), and expert interpretations without engaging in comparative evaluation. This approach was suitable for capturing the complexity of the U.S. case, where no large-scale regularisation mechanisms has been implemented in recent years, but various temporary and discretionary regularisation programmes exist. The result was a comprehensive country brief on the United States that draws on both documentary evidence and expert stakeholder input to elucidate the regularisation policy landscape (for an overview of regularisation policies in the US, also see Goldfarb et al. 2025).

Spain

The Spanish case study combined desk research with new qualitative and quantitative data collection. Academic literature and institutional reports were reviewed to trace the evolution of regularisation policies. Qualitative evidence was gathered from stakeholders' input through ten interviews and three stakeholder workshops conducted between May and July 2023. These qualitative insights addressed research questions on the rationale, selectivity, and implementation of regularisation policies in Spain. For quantitative analysis, the Spanish team utilised official statistics on regularisations. Data from the Ministry of Labour and Social Economy provided an annual overview of applications for regularisation (via the *arraigo* and other exceptional mechanisms), distinguishing between the numbers granted and rejected. In addition, an experimental dataset from the Permanent Observatory of Immigration (Ministry of Inclusion, Social Security and Migration)[1] was analysed to determine the number of foreign nationals holding an initial *arraigo*-based residence authorisation for each year from 2013 to 2024. This source included details on the types of authorisation issued (*arraigo*

[1] Please visit https://www.inclusion.gob.es/en/web/opi-viejo/estadisticas/observatorio_permanente_inmigracion

on the grounds of social ties, work, family, or training), the average duration of irregular stay before regularisation, and socio-demographic information about the regularised population (such as sex, age group, nationality, and region of residence). It also provided indicators of labour market integration for those regularised, including social security registration, sector of employment, and type of work contract.

Germany

The German case study primarily relied on desk-based research and analysis of existing sources. Given that Germany does not officially label any measure as a mass 'regularisation' programme, the interviewed stakeholders did not consider the regularisation possibilities identified by the researchers as relevant regularisation, because the awarding of a residence permit to irregular migrants occurs through the detour of the suspension of a deportation order. Consequently, the research and analysis for this case study focused on identifying implicit regularisation mechanisms within the legal and policy framework. The study entailed a thorough review of legislation, administrative regulations, and academic literature to map the various pathways through which irregular migrants can obtain residence status through a status detour – notably those linked to the temporary suspension of deportation (*Duldung*) and related provisions offering prospects for a residence permit. This document analysis was supplemented by the authors' expert knowledge of the national context. Unlike some other country cases, no dedicated stakeholder interviews or workshops were utilised for Germany; instead, the analysis drew on secondary sources and internal expertise to inform its qualitative assessments. Furthermore, official statistics were used to gauge the scale and outcomes of the temporary suspensions of deportation orders and subsequent regularisations.

Portugal

The Portuguese case study adopted a mixed-method approach. Researchers conducted an extensive review of academic literature and policy documents to contextualise the evolution of regularisation in Portugal. In parallel, they carried out in-depth qualitative research with national stakeholders. In total, twelve semi-structured interviews were conducted with informants including government officials, civil society representatives, and subject-matter experts. These interviews provided first-hand perspectives on how regularisation policies were formulated and implemented over time, offering insights into both the intent behind policy shifts and their on-the-ground challenges.

In addition to qualitative data, the Portuguese study analysed available quantitative information on regularisation outcomes and migration trends. Official figures on the number of people regularised in past programmes and through ongoing mechanisms were reviewed (for instance, 39,166 residence authorisations were granted under the first humanitarian regularisation in 1993). Such statistics from national authorities, as well as broader migration data (e.g. the rising number of foreign residents with a regular residence status, which surpassed one million in 2024), helped to ground the analysis in factual context. By combining documentary research, stakeholder interviews, and relevant data, the Portuguese case study could thoroughly chart the historical development of regularisations and assess their recent curtailment (with policy changes in 2024 and 2025) in a well-evidenced manner.

Belgium

The Belgian case study employed a qualitative research design supplemented by targeted written consultations and secondary data. The methodology centred on expert interviews with policymakers, legal practitioners, and civil society actors involved in migration issues. A total of seven semi-structured interviews were conducted, featuring experts in roles such as advisors to the State Secretary for Migration and Asylum, senior officials from international organisations, and representatives of non-governmental organisations active in supporting undocumented migrants. These interviewees – drawn from federal institutions, NGOs, and academia – provided nuanced perspectives on the formulation and implementation of regularisation policies. To encourage openness, most participants requested anonymity, and thus individual names or organisations are not disclosed in the case study report.

In instances where key stakeholders were reluctant or unable to participate in an interview (owing to the sensitivity of the subject and potential legal or reputational concerns), the research team pursued alternative data-collection strategies. A tailored questionnaire was developed and offered to those who declined voice interviews, allowing them to provide detailed written responses on regularisation-related questions. This approach broadened the range of inputs and ensured that valuable insights could still be included despite non-participation in live interviews.

Moreover, the Belgian study drew on secondary sources to complement the primary data: annual reports, policy documents, and informal conversations with organisational staff and even some beneficiaries of support services were used to gather additional information. Given the limited availability of quantitative data on the outcomes of regularisation in Belgium, the analysis focused on qualitative evidence; however, where possible, existing statistics (for example, on the number of applications or permits issued in past regularisation efforts) were considered to inform the discussion.

France

The French case study likewise employed a comprehensive and multi-faceted methodological framework. Central to this approach were semi-structured interviews conducted with a diverse range of experts including policymakers, legal professionals, and civil society representatives engaged with migration issues. In total, six experts participated in interviews, consisting primarily of academics who serve in advisory roles to the government, alongside at least one immigration lawyer – a composition that provided broad and varied expertise. To foster candid discussion, most interviewees (and their organisations) requested confidentiality, so they are not identified by name in the case study. These interviews were designed to elicit in-depth insights into the development, implementation, and outcomes of France's regularisation policies, with particular attention to socio-economic implications for migrants.

Where certain stakeholders were unable or unwilling to be interviewed directly – due to the politically sensitive nature of regularisation in France – the researchers employed an alternative means of data collection. A carefully tailored questionnaire was prepared to align with the specific expertise of those individuals. This written questionnaire was sent to the stakeholders who opted out of interviews, allowing them to provide detailed responses at their own comfort level. The written inputs received via this instrument effectively

complemented the interview findings, ensuring that a diverse array of perspectives was captured despite any barriers to face-to-face participation.

In addition to primary data from interviews and questionnaires, the French study made use of pertinent secondary sources to bolster its analysis. Researchers consulted annual reports, engaged in informal discussions with staff of organisations assisting irregular migrants, and collected testimonies from migrants who had undergone regularisation, in order to incorporate viewpoints from those on the front lines. Quantitative information was included where available to provide context: for example, historical statistics on past regularisation measures.

Italy

The Italian country study investigated the implementation of the 2020 regularisation measure, employing a qualitative and ethnographic methodology complemented by secondary statistical data analysis. The research design combined semi-structured interviews with participant observation and the collection of disaggregated administrative data. A total of 29 interviews were conducted with a wide range of actors involved in the regularisation process, including 11 migrants, 6 representatives of civil society organisations (CSOs), 3 trade union officials, 1 national public official and 3 local government collaborators, and 2 employers.

The qualitative research was enriched by participant observation in institutional settings, including police stations and municipal offices responsible for handling residence permit applications. This ethnographic fieldwork, grounded in the framework of publicly engaged sociology (Smith 2022), enabled direct observation of administrative routines, frontline discretion, and the interaction between undocumented applicants and state actors.

In parallel, the study made systematic use of secondary statistical data, particularly administrative records provided by the National Institute for Social Security (INPS). Upon formal request, disaggregated data on the issuance of residence permits in Italy were obtained and used to contextualise the study. Additionally, statistical materials and reports produced by foundations and third-sector organisations engaged in immigration and regularisation policy, such as *Ero Straniero* and ASGI, were consulted to supplement and triangulate findings.

3. INTERCONNECTED CHALLENGES AND THE PERSISTENCE OF CONSTRAINED RIGHTS

This section explores the main challenges hindering regularisation policies and limiting their transformative potential.

3.1 POLITICAL DISCOURSE AND RESISTANCE TO REGULARISATION

A key constraint on regularisation policies across diverse national contexts lies in the political discourse and aversion that surrounds them. In several countries, regularisation is framed not as a legitimate migration tool but as an exceptional, often politically sensitive measure, subject to moral and legal contestation (Ahrens & Kraler 2025, Cyrus & Kraler 2025).

In Ireland, for instance, while the 2022 regularisation scheme received broad support from civil society and trade unions (The Advocacy Initiative n.d.), political commitment remained weak and fragmented. Regularisation had rarely been a policy priority, and prior to the 2020 elections, only one political party (the Green Party) explicitly included it in its manifesto. A civil society interviewee noted the lack of public mobilisation on the issue, highlighting the political risks of advancing policies without broader public backing. Even when implemented, the Irish scheme was introduced with significant caution and limitations, and only after sustained external pressure (MRCI 2022, Government of Ireland 2021).

Likewise, in the German case, reluctance stems from fears of setting a political precedent or triggering negative public reactions. In this context, resistance to regularisation has been explicit and consistent, with political discourse traditionally rejecting the notion of a direct path from irregular status to residency. Official narratives underscore the need for full compliance with immigration law and depict the idea of immediate regularisation as potentially causing a public concern (Hinterberger 2023). Instead of employing the terminology of 'regularisation', the authorities strategically rely on the concept of 'toleration' (*Duldung*), which, although officially classified as a 'temporary suspension of a deportation order', has evolved into a multi-layered legal instrument that indirectly facilitates status regularisation under narrowly defined conditions. By contrast, the legal pendant of regularisation in Germany is represented by the so-called *Altfallregelungen* ('old-cases regulations'), which provide a more formalised path out of irregularity (Finotelli 2023).

Overall, the political framing of regularisation as controversial or undesirable, coupled with weak political will and fears of electoral costs, continues to act as a major impediment to the adoption and normalisation of regularisation policies. As a matter of fact, since the early 2000s, regularisation in the United States, Canada, and Europe has overwhelmingly relied on mechanisms framed as temporary, exceptional, or narrowly targeted mechanisms rather than structural reforms.

Emblematically, in the U.S., programmes like DACA[2] and Temporary Protected Status (TPS) remain politically fragile. DACA has faced continuous legal and political challenges, notably from the Trump administration, which attempted to terminate the programme, leaving beneficiaries in ongoing uncertainty. Its existence and effectiveness depend significantly on the shifting priorities of each administration, creating a 'stop-and-go' immigration policy pattern (Pierce & Selee 2017, Chishti & Bolter 2021). TPS designations are similarly vulnerable, highly susceptible to shifts in political priorities. The Trump administration notably sought to revoke TPS for nationals from various countries, sparking legal battles and widespread insecurity among recipients (Bruno 2020). Nevertheless, empirical evidence indicates sustained public support for regularisation measures under specific conditions. According to a 2020 Pew Research Centre survey, approximately 75% of U.S. adults—including 89% of Democrats and 57% of Republicans—supported providing residence status to undocumented immigrants who meet certain requirements, particularly passing background checks and demonstrating employment.[3] While opinions diverge on whether this status should be permanent or conditional, such findings suggest that public sentiment does not inherently align with legislative inaction. This disconnect between public receptivity and legislative outcomes underscores the complex interplay between political institutions and societal attitudes in shaping the feasibility of broad-based regularisation reforms.

Despite its general classification as a structurally regulated migration regime, the Canadian case also reveals a reliance on crisis-driven and sector-specific regularisation mechanisms. In particular, the 2020 Guardian Angels Programme, introduced during the COVID-19 pandemic, granted status only to asylum seekers who had worked in clinical healthcare roles, excluding non-clinical staff despite similar exposure risks. Similarly, Italy launched a new regularisation program in response to the COVID-19 pandemic, framed around the dual goals of protecting public health and addressing labour shortages in certain sectors like agriculture and domestic work. The measure echoed earlier episodic interventions—such as the 2009 regularisation for domestic and care workers—reinforcing a model of episodic, politically contingent interventions rather than structured inclusion. The 2020 regularisation program was in fact the seventh since 1990.

Other European cases similarly reveal fragmented responses. In France, regularisation has not been linked to acute emergency contexts but has emerged through context-specific measures, such as the 2012 ministerial circular and the 2022 '*métiers en tension*' residence permit. These initiatives were introduced to respond to persistent labour market needs rather than as part of a broader, systematic inclusion policy. Although not reactive to crises in the narrow sense, they illustrate the absence of a stable, recurring regularisation framework. In Belgium, while not employing large-scale regularisation campaigns in recent years, the state has relied on long-standing legal provisions allowing for individualised status

[2] While DACA is often referenced as a regularisation mechanism, it is crucial to clarify that the programme does not confer lawful immigration status or a residence permit under U.S. law. Rather, it operates through the legal principle of 'prosecutorial discretion', granting eligible individuals a temporary reprieve from deportation and renewable work authorisation. DACA does not offer a pathway to permanent residency or citizenship, nor does it provide derivative benefits to family members. Its categorisation as a regularisation tool is therefore conceptually tenuous unless accompanied by a critical reflection on its legal structure and limitations. As such, it is better understood as a form of legal liminality, granting partial protection without structural integration into the immigration system.

[3] Please see: https://www.pewresearch.org/short-reads/2020/06/17/americans-broadly-support-legal-status-for-immigrants-brought-to-the-u-s-illegally-as-children/

acquisition on humanitarian or medical grounds. These mechanisms are permanent in form but limited in reach, and no structural policy exists to address the presence of long-term undocumented residents in a comprehensive or programmatic manner. Thus, while not crisis-driven, Belgium's approach remains episodic and non-structural, offering no predictable or inclusive route to regularisation beyond narrowly defined categories[4]. As Sciortino (2000) has argued, such *ad hoc* measures serve primarily to 'repair' the most evident discrepancies between the proclaimed objectives of migration policy and its actual outcomes, rather than establishing a stable or comprehensive framework.

Finally, Spain stands out for the comparatively low level of political resistance and the absence of a sharply polarised public debate on regularisation. Governments have tended to frame regularisation in pragmatic terms—routinising status acquisition through permanent mechanisms such as the various forms of *arraigo* (social, laboral, familiar) and implementing measures without the acute polarisation observed elsewhere (Finotelli & Arango 2011, Finotelli & Rinken 2023).

3.2 DESERVINGNESS AND SELECTIVITY

Regularisation is an inherently selective process: states predominantly implement targeted pathways to residence status contingent upon specific eligibility criteria—such as proof of employment, long-term residence, family ties, or absence of a criminal record. These criteria, closely linked to conditionality mechanisms, embed normative assumptions regarding merit and privileged forms of belonging, thereby constructing hierarchies of worthiness (Anderson 2010, Goldring & Landolt 2013).

Consequently, immigration laws actively reflect and reinforce socio-cultural constructions of migrants deemed 'deserving', significantly influenced by factors such as gender, age, and migration trajectory (Chauvin et al. 2013, Rosen & Dickson 2024). In other words, these policies are far from neutral; rather, they generate distinctions between migrants perceived as worthy and those considered unworthy, shaping an imagined 'community of value' (Anderson 2013) within which only certain migrants qualify for inclusion.

3.2.1 ELIGIBITY CRITERIA

Regularisation can be a selective process: access to it, and thus the acquisition of residence status, depends on meeting specific eligibility criteria that can reflect normative ideas about merit and legitimate forms of belonging (Rijpma & Pastore 2009, Cacciapaglia 2025a). More precisely, these criteria tend to revolve around common themes: the absence of disqualifying factors (such as criminality), length of residence, economic contribution, family ties, and humanitarian need. Each of them acts as a gatekeeping mechanism to ensure that only

[4] More precisely, Belgian law refers to an *autorisation de séjour pour circonstances exceptionnelles* ('exceptional stay permit') under Articles 9bis (humanitarian grounds) and 9ter (medical grounds) of the Act of 15 December 1980. The authorities emphasise that *"no subjective right to regularisation exists"*; the measure remains a discretionary and extraordinary remedy. In this report, therefore, "exceptional stay permit" is used for 9bis/9ter procedures, whilst "extraordinary regularisation programme" denotes the one-off campaigns of 1999 and 2009

certain subsets of undocumented migrants – those implicitly deemed more acceptable or *worthy* – can access residence status. In essence, the formal rules codify the same notions of deservingness described above, translating moral judgments into concrete requirements for eligibility.

It is worth noting that, in some cases, these eligibility criteria apply not only to migrants but also, for instance, to employers when they are the ones eligible to apply. Among others, this is the case of Italy, where the regularisations from 2009 and 2020 explicitly include eligibility criteria for employers, thereby reinforcing how hierarchies of worthiness and the related dynamics of inclusion or exclusion extend beyond migrants.

First of all, a clean criminal record in the country of residence is almost always mandatory – those with serious criminal convictions or who pose security concerns are barred from regularisation. For example, DACA excludes anyone with a felony or significant misdemeanour on their record, and TPS likewise disqualifies individuals with certain criminal histories or who are flagged as security risks. European regularisation schemes, whether formal or discretionary, also insist on good conduct: for instance, Italian regularisation programmes, including the last one, consistently excludes from eligibility both irregular migrants and their employers (who are responsible for submitting the regularisation application) if they have criminal records or represent a threat to public order or state security. In many European countries a clean criminal record issued by the country of origin is an additional requirement, and while some origin countries supply such documents upon a simple online request, other origin countries require in-person requests or generally do not issue such documents (see Ahrens 2013).

Beyond this, some eligibility rules also differentiate by migrants' mode of entry and compliance with immigration procedures. In Ireland, until recently, there was an implicit distinction between those who entered regularly and overstayed versus those who entered irregularly. Earlier pilot regularisations (such as a 2018 student scheme) were only open to migrants who had originally entered on a valid visa, signalling that those who never had permission to enter were viewed as less deserving of amnesty. Similarly, some of Germany's past regularisation provisions applied only to people who had originally sought asylum or were 'tolerated' in the country, as opposed to those who evaded the system entirely. The rationale is that an initial act of compliance (or at least the absence of an overt act of irregular entry) makes a person more worthy of consideration. In line with this reasoning, the granting of access to a recently introduced regularisation scheme in Germany requires that the children of applicants attend school regularly and that they have not committed drug-related offences, thereby extending the principle of responsibility and a clean criminal record beyond the individual to their family members. The Spanish case also explicitly differentiates between migrants who initially entered the country regularly and subsequently overstayed their visas ('overstayers') and those who entered clandestinely. This distinction carries significant implications, as overstayers are generally perceived as more 'acceptable' and are typically treated with greater leniency in both policy measures and public discourse

compared to clandestine entrants, whose form of irregularity is viewed as inherently more problematic.

Length of residence is another almost universal criterion. A minimum period of continuous presence serves as a proxy for integration and commitment to the host society. For example, Spain's regularisation via *arraigo* (which translates as 'rootedness') requires proof of residence, but not for an extended period. Following the recent reform, most forms of *arraigo* demand only two years of residence, typically demonstrated through municipal registration records and other official documents. Ireland's one-off 2022 Regularisation Scheme similarly required at least 4 years of undocumented residence (3 years for families with children) as a baseline for eligibility (Desmond & Heylin 2023). France's practice has also been to favour long-term residence – informally, five years or more has often been a benchmark in past French regularisation waves (Kraler 2019). Italy has followed a similar approach: the 2020 regularisation required proof of continuous presence before and after 8 March 2020; the 2012 programme likewise conditioned eligibility on uninterrupted residence. The principle is clear: only those who have demonstrated a long-term stake in the country are given a chance, while recent arrivals are excluded by design.

Employment and economic contribution form a further key eligibility pillar, reflecting a utilitarian logic that prioritises certain migrants who contribute to the host economy. Spain epitomises this approach. Interviewed experts note that all Spanish regularisation pathways are linked to the labour market: "*everything is marked by work and delimited by our needs in the labour market*". Indeed, most Spanish *arraigo* permits require either an existing work contract or, in the case of the new *arraigo* for training introduced in 2022, a commitment to vocational training, including the one promoted by Public Employment Services. This aspect reflects Spain's practical or pragmatic approach to migration (Finotelli & Rinken 2023), by explicitly linking training to future economic contributions, indicating a proactive strategy aimed at aligning migration policies with labour market needs —as one interviewed trade unionist remarked: "*the vision that now prevails in the government is a utilitarian vision of migration… talking about the economy, that's it*". Employment, training, and anticipated economic contributions thus form relevant pillars of eligibility, encapsulating a utilitarian logic that prioritises migrants who not only currently contribute but who are also poised to address future labour market needs through targeted vocational training.

Germany follows a similar utilitarian logic through two key instruments: the employment toleration (*Beschäftigungsduldung*) and the vocatinal training toleration (*Ausbildungsduldung*). The *Beschäftigungsduldung* provides a temporary suspension of a deportation order explicitly based on continuous employment, thus linking residence directly to economic participation. Similarly, the Ausbildungsduldung allows rejected asylum seekers to remain in Germany throughout their vocational training (typically three years), followed by a two-year work permit upon successful completion. According to Fontanari (2022), these measures reflect Germany's strategic alignment of migration policies with its economic needs, particularly addressing skilled labour shortages. At the same time, such measures enforce strict migration controls, as eligibility for both 'toleration' permits depends on verified identity and active cooperation with authorities. In fact, the author argues that

Germany's approach exemplifies a dual logic of economic utility and rigorous migration governance, prioritising migrants who demonstrate clear economic potential while simultaneously enforcing stringent control mechanisms (Fontanari 2022).

France has likewise tethered regularisation opportunities to labour-market needs. The 2006 *circulaire Sarkozy* gave preference to undocumented migrants with in-demand skills or stable jobs, and a new immigration law in 2024 went further by creating an explicit pathway to regular status for those working in occupations facing labour shortages. Under the 2024 law, applicants must demonstrate at least 12 months of recent work in a listed shortage occupation (within the past 24 months), in addition to several years of residency, to qualify. Such policies make economic worthiness a formal condition for regularisation – those who cannot show formal employment (often because they labour in the informal economy) are typically left out.

These logics extend beyond Europe: the U.S. DACA programme, while not granting permanent status, similarly embodies selectivity through economic or social contribution criteria. DACA requires applicants to have completed high school or be enrolled in education (or to have military service) in addition to meeting the age-of-entry cutoffs, thereby favouring those with educational attainment or service records. Canada has signalled that any future measures will likewise centre on economic contribution: recent pilot initiatives have targeted groups like health-care aides (the "Guardian Angels" initiative) and construction workers, underscoring a focus on those *"who have been contributing socially and economically to Canadian communities"*.

Regularisation policies, then, frequently invoke migrants' 'contribution' and integration as conditions for residence status, but what counts as contribution is often ambiguously defined and highly selective itself. Simply working hard or contributing economically does not guarantee regularisation, unless migrants are 'essential workers' or working in a state-recognised strategic sector. Such policies reflect a strategic economic logic – prioritising labour needs in certain industries – rather than a rights-based recognition of all migrants' contribution. For example, Italy's 2020 regularisation programme (enacted during the COVID-19 pandemic) restricted eligibility to agricultural or domestic care work, sectors deemed essential, while excluding workers in other indispensable industries (hospitality, restaurants, cleaning, construction) that rely heavily on precarious migrant labour. This narrow sectoral focus meant the scheme denied access to hundreds of thousands of irregular workers, including those sustaining the hospitality and logistics sectors. Similarly, Canada's regularisation programmes, including the Guardian Angels and the Out-of-Status Construction Workers Programmes, highlight an ambiguous and selective logic. The Guardian Angels initiative provided permanent residence to asylum seekers working directly in healthcare during the COVID-19 pandemic but notably excluded essential non-clinical staff, thereby reinforcing occupational hierarchies and ambiguous definitions of deservingness. Moreover, the Out-of-Status Construction Workers Programme introduced an even higher degree of selectivity, explicitly targeting workers with specific skillsets and professional experience within a geographically restricted area—the Greater Toronto Area. These administrative complexities further narrow the criteria of deservingness, intensifying exclusionary hierarchies and marginalising significant numbers of migrants who, despite contributing economically and socially, do not meet narrowly defined state priorities.

Family ties and social integration are another common basis for eligibility, aligning regularisation with human-rights principles of family unity. Having close family members who are citizens or residents with residence papers who can open pathways to a regular residence status in many countries. Spain's *arraigo familiar*, for example, provides an immediate regularisation route for those who have a Spanish citizen spouse, parent, or child, and notably it imposes no prior residence duration requirement. This reflects the idea that family unity – and protecting the rights of citizen family members (often grounded in Article 8 of the European Convention on Human Rights) – justifies a more expedited regularisation. Belgium's practices similarly show preferential treatment for families with minor children, particularly if the children are born or raised locally, highlighting the '*best interests of the child'* as a guiding principle. Likewise, parents of children with regular residence status (including citizens or refugee children) often receive favourable consideration in discretionary regularisations in Belgium and France. Canada has long had a provision to grant status to out-of-status spouses or common-law partners of citizens, recognising family unity as a valid reason to regularise status. These family-based criteria underscore a rights-based rationale: those embedded in citizen families or communities are seen as more deserving of stability and membership. In a related vein, evidence of social integration – such as proficiency in the local language, community involvement, or other indicators of rootedness – can bolster an applicant's case, although such factors are harder to quantify. Some countries' case-by-case regularisation processes (like France's or Belgium's discretionary procedures) implicitly reward social integration alongside formal benchmarks. By the same token, single adults without family ties or community roots often find it much harder to qualify, revealing an implicit hierarchy of integration in many eligibility rules.

Germany's regularisation mechanisms also recognise the importance of family ties and social integration, though framed within a complex and restrictive legislative context. The Opporunity Residence Act (*Aufenthaltsgesetz*) provides several pathways from a temporary suspensions of deportation orders (*Duldung*) to a regular residence permit. In particular, options are available to well-integrated youth and young adults (§25a Residence Act), and to individuals who demonstrate successful labour market integration or significant social integration (§25b Residence Act). Moreover, Germany has introduced temporary provisions, such as the Opportunity Residence Permit (Chancen-Aufenthaltsrecht, §104c), which offer a pathway to residence permits for individuals, whose deportation order were suspended and who have resided in Germany continuously for at least five years, including those with unresolved identity document issues.

Humanitarian and vulnerability grounds constitute one more set of eligibility criteria. Regularisation is often (at least on paper) accessible to those in especially vulnerable situations – people with serious health conditions, survivors of trafficking or domestic abuse, asylum seekers who cannot be removed due to practical or human-rights barriers, and other compelling cases. For instance, Belgium's discretionary regularisation channel (under the 9bis provision) explicitly lists medical cases and other *exceptional circumstances* as grounds for granting a residence permit. Applicants must demonstrate extraordinary hardship, such as a life-threatening medical condition requiring treatment unavailable in their home country, to qualify under this provision. These medical regularisation permits are granted based on the continuity of medical need and can be renewed as long as the condition

persists. Likewise, Spain's regulations include categories for those *'recognised victims'* of human trafficking, labour exploitation, or gender-based violence, as well as individuals who assist authorities in prosecuting crimes (a kind of merit through cooperation with law enforcement). Such provisions signal that migrants who have suffered grave harm – or who help to testify against such harm – are deemed especially deserving of protection. The United States, while lacking any broad humanitarian regularisation programme, has developed specialised forms of relief: U-Visas for victims of serious crimes, T-Visas for trafficking victims and the EU Anti-Trafficking Directive (2009/52/EC) also mandates residence permits for victims of human trafficking who cooperate with authorities.

Nationals fleeing from certain crisis-stricken countries can also benefit from various Temporary Protection statuses. In the US, in mid-2024 approximately 1.2 million people held a Temporary Protection Status (TPS), which granted a residence permit and work rights to migrants from designated countries affected by conflict or disaster, but it too is conditional. TPS protects only those already in the country by a set date, excluding later arrivals even if they fled the very same crisis. In the EU, the Temporary Protection Directive was activated for the first time for war-fleeing Ukranians, but uncertainty remains what will happen once these temporary statuses (Düvell and Jauhiainen 2025). In all these cases, humanitarian criteria carve out a subset of undocumented migrants whose level of hardship or risk creates an ethical imperative for the state to offer relief. Still, these categories are defined narrowly – many immigrants facing serious but not 'exceptional hardships' do not qualify under such rules and thus remain ineligible for regularisation.

3.2.2 DESERVINGNESS HIERARCHIES

Within the deservingness framework, vulnerability emerges as especially powerful moral currencies, either associated to innocence and to humanitarian suffering. In the case of innocence, migrants portrayed as blameless victims of circumstance tend to be viewed as particularly deserving of inclusion. Children and youth are a prime example. The United States' Deferred Action for Childhood Arrivals (DACA) programme was built around the sympathetic image of young 'Dreamers' – individuals brought to the country as children, who had no say in their unlawful arrival and who grew up culturally integrated in American society. By requiring that applicants have come as minors, pursued education or military service, and kept a clean record, DACA tapped into a narrative of blameless, high-achieving youth. This framing proved highly effective: Dreamers are often described as '*Americans in all but paperwork'*, underscoring their innocence and potential. Yet it also drew a sharp line between groups. Those who migrated as adults or who lack similar educational and social ties were implicitly cast as less deserving. DACA's selectivity thus created a two-tier perception – the fortunate few who fit the idealised Dreamer requirements and gain protection versus the many who do not qualify and remain at risk.

Over time, this differentiation reinforced the stereotype of the 'good' immigrant (innocent, English-speaking, studious or service-oriented) versus the 'bad' immigrant (one who broke the rules or is less integrated), complicating efforts to craft equitable policy. A similar narrative of innocence plays out in Europe with respect to children and families. Children are widely seen as the most blameless of all: having been born or raised in the host country, they did nothing wrong themselves yet suffer due to their parents' status. This sentiment has

fuelled advocacy campaigns across Europe. In Ireland, for example, a high-profile 2018 case of a 10-year-old boy (born in Ireland) and his mother facing deportation sparked public outcry; community members rallied with the plea that "*he is an innocent victim in all of this… this is about what is right and humane.*" Such moral pressure led to political intervention and eventually to reform proposals – paving the way for Ireland's landmark 2022 regularisation scheme for long-term undocumented residents. Stories like these – echoed by youth-led movements such as *Young, Paperless & Powerful* in Ireland – have cemented a widespread belief that children *deserve* security and status regardless of their parents' actions. Consequently, many countries now prioritise keeping families together when the alternative is deportation that separates children from parents. Undocumented migrants with citizen or settled children, or those caring for dependent family members, are often seen as occupying a higher moral ground; this translates into policies favouring family unity in regularisation decisions. In practice, having strong family ties (especially citizen children or spouses) can elevate an undocumented person's perceived deservingness of residence permit.

However, there can be significant variations internationally. Notably, the United States does not extend protection or residency permits to the undocumented parents of citizen or lawful resident children. In practice, American immigration law provides no automatic pathway out of irregularity for such parents, who may face deportation irrespective of the potential harm caused by family separation. This contrasts markedly with Italy's legislative approach, which, through Article 31 of the Consolidated Immigration Act (D.lgs. 286/98), explicitly permits irregular migrant parents to receive residence permits for the express purpose of protecting the psychological and physical well-being of their minor children. Such permits, granted by the Juvenile Court, can be renewed and may even lead to regular work permits, reflecting a legal prioritisation of family unity and child welfare that is absent in the American context. This divergence illustrates how familial status and vulnerability are valued differently across jurisdictions, significantly influencing perceptions of deservingness and shaping immigration policy responses.

Beyond youth and family, humanitarian suffering and related vulnerability constitute another key axis of perceived worthiness. Migrants in a condition of legal status irregularity who can demonstrate extreme hardship or peril – say, a serious illness, a history of torture or trafficking, or escape from war – are more readily classified as deserving of relief on compassionate grounds. Civil society organisations often foreground such cases in campaigns for regularisation. Advocates highlight, for instance, cancer patients, single mothers, or families from active conflict zones to press the moral urgency of granting status. These narratives do influence policy. In Belgium, the interviewed officials have acknowledged that under current practice "*the most vulnerable individuals – such as single mothers with children, those with medical needs, unaccompanied minors, and long-integrated families – may benefit from more favourable treatment*." Women, especially survivors of gender-based violence or trafficking, are also frequently portrayed as more deserving due to their victimhood, introducing a gendered dimension to deservingness narratives.

In Italy, this is exemplified by Article 18 of the Consolidated Immigration Act (D.lgs. 286/1998). Such provision grants special residence permits to individuals identified as victims of trafficking, predominantly women subjected to sexual exploitation, thereby explicitly linking migrant women's legitimacy and deservingness of protection to their victim

status and cooperation with authorities. Consequently, women's recognition as 'worthy' migrants becomes dependent upon their portrayal as vulnerable subjects requiring state protection. Further reinforcing this gendered narrative is Article 18-bis, introduced by Law 119/2013, which provides residence permits specifically to survivors of domestic violence. By conditioning women's entitlement to residency and protection explicitly upon experiences of victimisation, Article 18-bis institutionalizes the notion of migrant women's deservingness as intrinsically tied to their victimhood.

In the Italian case, Article 31 of the Consolidated Immigration Act (D.lgs. 286/1998) further illustrates how vulnerability is institutionalized as a ground for regularisation. This provision empowers juvenile courts to authorise the entry or stay of a child's family member when required for the child's psycho-physical well-being, granting a temporary residence permit that also allows employment. Though not limited to unaccompanied minors, it functions as a protective mechanism ensuring that the "best interests of the child" can override ordinary migration rules. In practice, this has enabled caregivers — and, in certain cases, even siblings or other relatives, where courts have deemed their presence indispensable — to obtain legal status. The article thus operates as a legal bridge between child protection and migration control, reinforcing the broader pattern in Italian law whereby migrant minors are recognised primarily as rights-bearing subjects whose vulnerability legitimises state protection and, at times, the regularisation of accompanying adults.

Another powerful narrative centre revolves around contribution and integration. Migrants who are perceived to 'give back'—through work, economic contributions, or service—may be deemed more deserving of legal status under a logic of reciprocity. The archetype of the hard-working, community-contributing migrant frequently appears in political rhetoric as the 'good' or 'deserving' immigrant. This often overlaps with the innocent narrative in cases like the educated Dreamer or the model migrant family. More commonly, contribution is measured through steady employment, tax payments, or other markers of integration. Yet, here too, a hierarchy emerges. Those who can demonstrate stable work histories, language proficiency, or community ties often find a smoother path to legal status than those who cannot.

Migrants working in the informal economy are at a distinct disadvantage in these regimes of worth. Ironically, some of the most exploited workers—irregular labourers in agriculture, construction, or domestic care—are deemed less deserving in legal processes that demand proof of stable, formal employment and income. Because they cannot easily document their economic contributions (lacking official work contracts or tax records), they struggle to prove their 'usefulness' or integration, thereby falling lower in the deservingness hierarchy. In this way, ostensibly neutral eligibility criteria (such as steady job records or proof of self-sufficiency) end up reinforcing class and ethnic inequalities. Those already socially or economically marginalised, often along lines of race and class, find it hardest to meet these valorised criteria, perpetuating their exclusion. The paradox which emerges is that the migrants most in need—doing difficult jobs under precarious conditions—have the toughest time satisfying regularisation benchmarks centred on economic self-reliance.

Regularisation policies thus frequently invoke migrants' 'contribution' and integration as conditions for legal status, yet what counts as contribution is often ambiguously defined and

highly selective, as anticipated earlier. Merely working hard or contributing economically does not guarantee regularisation unless one's labour aligns with state-recognised 'essential sectors' or 'strategic sectors'. Such selective definitions create another hierarchy within migrant deservingness, privileging those employed in officially valued sectors over equally hardworking individuals in less politically visible or economically strategic roles. Thus, these policies reflect a strategic economic logic—prioritising labour needs in specific industries—rather than a universal, rights-based recognition of all migrants' contributions. Consequently, this ambiguous and selective understanding of 'contribution' further entrenches the structural inequalities embedded in migration management systems, reinforcing the marginalisation of many migrants who fail to align with narrowly defined state priorities.

Finally, national origin and cultural affinity can explicitly shape hierarchies of inclusion, with both public sentiment and governmental policies often privileging migrants who share linguistic, historical, or cultural connections with the host country. Portugal's recent regularisation policy exemplifies such nationally bounded generosity: in 2022, it granted legal status preferentially to migrants from Portuguese-speaking countries (the Community of Portuguese Language Countries, CPLP) under a principle of Lusophone reciprocity. This selective approach effectively fast-tracked integration for migrants sharing cultural-linguistic ties, reinforcing notions of 'positive discrimination' favouring Brazilians, Angolans, Cape Verdeans, and similar groups. While beneficial to these migrants, such policies generated resentment among excluded communities, implicitly ranking migrants by origin and signalling that certain nationalities are more welcome than others.

Furthermore, deservingness criteria based on vulnerability intersect in complex ways with nationality, creating uneven patterns of sympathy and assistance. Migrants from specific geopolitical contexts or heavily covered conflict zones often elicit strong public support and policy responsiveness, while equally vulnerable groups from less visible or politically sensitive contexts receive comparatively limited attention and assistance. This differential treatment reveals the interplay between nationality, media representation, and geopolitical interests, ultimately underscoring how the politics of deservingness can reinforce global inequalities by selectively amplifying certain vulnerabilities while systematically neglecting others.

3.3 BUREAUCRATISATION AND COMPLEXITY

Even when migrants formally meet the eligibility criteria, regularisation often remains complex and difficult to access in practice: legal entitlement does not necessarily ensure effective access to rights. In fact, regularisation processes are typically embedded in complex bureaucratic systems, involving extensive documentation, rigid timelines, and discretionary decision-making. While procedural rigor may aim to ensure fairness, it often becomes a barrier for those lacking formal records regarding specific proofs. Indeed, administrative complexity and discretion operate as forms of 'internal bordering', whereby legal status acquisition and maintenance are governed through dispersed institutional logics, social relations, and everyday encounters well beyond the initial crossing of national borders (Manolova 2021, Fauser 2024). Goldring (2022) highlights this complexity through the

notion of 'work of status', which encompasses the effort, time, financial resources, and other investments migrants must make to remain legally present, access services, and secure protections. This approach also underscores interactions with various institutional actors, revealing how precarious legal status trajectories intensify inequalities in citizenship and differential inclusion dynamics. In this context, importance belongs to the role of frontline state officials and street-level bureaucrats in interpreting eligibility and the uneven outcomes that arise from institutional ambiguity – or institutional violence as some authors suggest (Näre 2020, Schmidt et al. 2023).

3.3.1 PROTACTED WAITING AND RELATED LIMBO

A widespread issue across migration regularisation processes is bureaucratic delay mainly resulting from administrative overload and resource constraints. In numerous countries, prolonged waiting periods lead applicants to experience extended periods of legal uncertainty and limbo conditions. For example, Portugal's regularisation system has been characterised as exceptionally slow, with processing times ranging from a minimum of five months to as long as three years. Applicants frequently must attend multiple appointments and interviews, repeatedly submitting documents without assurance of eventual success. Similar situations occur in Belgium, where the absence of statutory decision-making timelines for humanitarian regularisation requests leaves migrants indefinitely uncertain. In Spain, further administrative bottlenecks regularly cause migrants extended delays in initiating *arraigo* applications, sometimes resulting in lapses into irregular status when permits expire before renewal appointments become available.

Such protracted delays are not exclusive to Europe. In the United States, even temporary measures like Deferred Action for Childhood Arrivals (DACA) involve significant waiting periods—averaging seven to eight months for initial approval—and necessitate biennial renewals. Temporary Protected Status (TPS) holders face similarly recurring cycles of administrative demands every 6–18 months, entailing continuous fees, background checks, and substantial documentation. These temporary humanitarian measures thus often perpetuate rather than alleviate migrants' precarity, underscoring that without stable long-term status, migrants universally endure ongoing administrative uncertainty.

Canada's migrant regularisation initiatives have rather revealed significant disparities in the administrative processing times associated with the recent Guardian Angels initiative (2020–2021) and the Out-of-Status Construction Workers Programme (2019–2024). The Guardian Angels programme, aimed at regularising asylum seekers employed in frontline healthcare roles during the COVID-19 pandemic, was characterised by exceptionally swift administrative procedures, with average processing times of just 21 days. This rapidity was largely influenced by substantial political and media support, framing healthcare workers as morally deserving 'heroes', although the initiative notably excluded auxiliary hospital workers such as cleaning and catering staff, as explained in the previous section. In contrast, the Out-of-Status Construction Workers Programme, designed to alleviate labour shortages in the Greater Toronto Area, faced substantial administrative delays, with processing periods ranging from 12 to 24 months. This delay, exacerbated by complex and restrictive documentation requirements, resulted in notably low participation rates. A policy expert

interviewed for this research *"the bureaucratic hurdles meant that many of the very workers this program was designed for couldn't meet the standards imposed on them"*, underscoring the practical challenges and exclusionary consequences of such administrative complexity. The discrepancy in processing times between the two programmes highlights how a crisis situation triggered efficiency in the case of the 'Guardian Angels' while the absence of an acute crisis did not push for speeding up processing in the case of the construction workers. In addition, the 'Guardian Angels' program benefited from a heightened perception of the societal contribution of care workers vs the more purely economic appreciation of the construction workers.

Regularisation delays have tangible consequences, including significant repercussions for migrants' personal lives, effects on family members residing both in Italy and abroad, and implications for their employers. If a permit renewal or initial application cannot be filed in time due to a lack of available appointments, individuals can fall back into irregular status even after having previously secured legal status – essentially resetting the clock on their integration. In some cases, employers who had offered a job contract to support a migrant's regularisation eventually give up because the process is so drawn out, undermining the very employment-based criteria that the system requires. The end result of these procedural hurdles is that many migrants are left in what can be described as bureaucratic limbo – an indeterminate state in which they have neither secure status nor an order to leave but exist in prolonged uncertainty. In practical terms, a person might spend years on a 'pathway to regularisation' yet still be unable to work legally, access public services, or plan for the future.

Representatively, in Italy, the 2020 regularisation programme resulted in substantial procedural delays that severely impacted migrants' lives. Four years after the programme's implementation, tens of thousands of applications remained unresolved, leaving migrants trapped in administrative limbo (Bonizzoni et al. 2025a). Migrants in this situation experience intense emotional distress, unable to visit sick or dying relatives in their home countries for fear of jeopardising their regularisation process. As one migrant, J., expressed: "*It's frustrating. Really frustrating. Because you do the right thing but still, nothing: they don't give me this permit; in all this time, some of my relatives have died*".

This state of prolonged waiting has also led to practical difficulties, such as limited access to healthcare, education, housing, and banking services, significantly restricting their everyday lives and future planning opportunities. I., another interview migrant, highlighted her situation by stating: "*I can't even have a house here in Italy. Right now, for example, I have the money, I want to rent an apartment to stay with my family, but I can't do it. Why? Because I don't have the documents, even though you have a job, it doesn't matter, you need documents*".

Furthermore, these delays have exacerbated conditions of exploitation in the labour market. Because employers control the regularisation process, migrants often find themselves in situations of increased dependence, vulnerable to exploitation and abuse. Employers can withdraw their support at any time, creating an environment of instability and coercion where

migrants are forced to accept unfavourable employment conditions simply to maintain their chances of obtaining a residence status (Cacciapaglia 2025b).

3.3.2 DOCUMENTATION REQUIREMENTS AND EVIDENTIARY BURDENS

Another significant obstacle migrants encounter when seeking regularisation is the extensive documentation required, which poses substantial challenges given their precarious situation. These requirements typically include verification of identity, continuous residence, employment or economic self-sufficiency, and social integration.

Identity verification is a nearly universal requirement across regularisation programmes, often necessitating valid passports or national identity documents. This poses barriers for migrants who either left their countries without proper documents or whose documents have expired. Obtaining replacements frequently proves challenging due to inaccessible, inefficient, or uncooperative consular services, compounded by migrants' fears of surveillance or deportation. Belgium exemplifies this, with Article 9bis demanding valid identity documents, thus excluding applicants unable to safely contact their national authorities.

Demonstrating continuous, long-term residence is another significant challenge, typically requiring official documentation such as municipal registrations, rental agreements, or utility bills. Spain's *arraigo* social programme, for example, mandates proof of two to three years of uninterrupted residence. Migrants living informally, without stable housing, struggle significantly with fulfilling this criterion.

Employment or economic self-sufficiency also remains central to regularisation (especially employment-based schemes), linking residence status directly to financial stability or employment documentation. Spain requires migrants under *arraigo* social to present valid job offers or employment contracts meeting specific conditions. Studies have indicated that applicants frequently fail due to the absence or inadequacy of formal job offers. Similarly, Germany’s *Ausbildungsduldung* status mandates a registered training contract, effectively excluding informal workers.

Housing insecurity exacerbates these difficulties further, particularly impacting the formal registration of addresses, an essential component of demonstrating continuous residence. Migrants without documented residence struggle to register officially, as highlighted by Spain’s municipal registration (*padrón*), where unstable housing was directly linked to registration difficulties. A comparable example is provided by Italy’s 2020 regularisation scheme, under which employers were required to demonstrate adequate housing conditions for the migrant worker as part of the application process. This requirement effectively represented an administrative barrier, compounded by the broader variability of local administrative practices, which often further complicated the ability of employers and migrant workers to navigate the process.

Additionally, social integration criteria introduce further complexity, requiring language proficiency, civic knowledge, or local engagement evidence through language certificates, civic examination results, or community endorsements. While migrants proficient in the host

nation's language generally face fewer barriers, formal policies vary significantly across jurisdictions. For instance, Canada's Guardian Angels Program (2020–2021) included additional French language proficiency and regional residency requirements imposed by the Quebec government, restricting access for non-French-speaking healthcare workers or those lacking formal language certification.

Applicants under humanitarian or exceptional grounds often confront even greater documentation requirements. Belgium and France impose substantial evidence standards for humanitarian claims, with France's CESEDA code notably criticised for bureaucratic complexity. Similarly, the United States' DACA programme demands extensive documentation, including school records, continuous residency proof, criminal background checks, and family relationship evidence. Each added requirement—such as police certificates or medical records—further intensifies administrative burdens faced by migrants.

3.3.3 ADMINISTRATIVE DISCRETION

The cases of France, Belgium, Portugal, Ireland, and Canada offer illustrative—though not exhaustive—examples of how administrative discretion shapes access to immigration regularisation. Despite their differing legal frameworks and institutional settings, these contexts reveal common tensions between the flexibility afforded by discretionary authority and the imperative for fairness, transparency, and predictability in decision-making. Discretion is often defended as necessary to accommodate individual circumstances, yet in practice it can produce uncertainty, unequal treatment, and a sense of arbitrariness that undermines migrants' trust in the system.

In France, discretion is formally circumscribed by the CESEDA and guided by the non-binding Valls Circular, yet in practice prefectures enjoy considerable latitude. The result is a striking territorial unevenness: applications that meet the same criteria may yield different outcomes depending on the département in which they are lodged. Here, discretion functions less as a mechanism for responsiveness and more as a source of arbitrariness, giving rise to what many observers describe as a ‘postcode lottery’ in access to rights.

Belgium exemplifies a more explicitly discretionary model, in which the absence of binding criteria under Articles 9bis and 9ter places extraordinary weight on the individual judgement of the Secretary of State for Asylum and Migration. While this may offer scope for compassionate decisions in exceptional cases, it also leads to legal opacity and an erosion of predictability. Applicants are often left uncertain not only about the outcome of their claims, but about the very standards by which their cases will be judged. The resulting anxiety and procedural length disproportionately affect the most precarious, particularly those unable to mobilise legal expertise or extensive documentation. In fact, Belgian civil-society organisations and immigration lawyers consistently criticise the opacity of Articles 9bis and 9ter. They argue that the absence of publicly available criteria undermines legal certainty and have repeatedly called for ministerial guidelines to delineate the notion of ‘exceptional circumstances’. These actors contend that enhanced transparency would bolster trust in the system and reduce the perceived arbitrariness of discretionary decisions.

Portugal represents an attempt to limit discretion through legal standardisation. The adoption of objective eligibility criteria—such as employment and social security history—aimed to create a more transparent and rule-bound system. Yet even here, the intended depoliticisation of decision-making has been undermined by administrative reluctance and inconsistent implementation. Bureaucratic resistance has continued to frustrate the enforcement of the new norms, demonstrating how discretion can reassert itself through practice, even in the face of legal reform.

In Ireland, the evolution from a highly discretionary, ministerial system to one grounded in more structured eligibility criteria marks a clear institutional shift. The 2022 Regularisation Scheme formalised access in unprecedented ways. However, discretionary patterns have not been entirely displaced. Reports of informal practices—so-called 'back-door' regularisations—suggest that the logic of discretion persists beneath the surface, often privileging those with the right connections or legal representation. The formal narrowing of discretion has thus not entirely eliminated its informal exercise.

Canada, meanwhile, illustrates the complexity of discretion in a federal context. The case-by-case approach enshrined in the Immigration Act of 1976, particularly through humanitarian and compassionate grounds, has long fostered inconsistencies. More recently, provincial actors—such as Quebec—have added further layers of discretion by introducing their own selection criteria within federally initiated programmes. This dual-level discretion has created a fragmented landscape in which both the availability and substance of regularisation pathways can differ substantially depending on regional policies and political priorities.

Taken collectively, these cases highlight how discretion, though often justified in the name of flexibility or compassion, can undermine the very principles of fairness and transparency it purports to serve. Whether embedded in law (as in Belgium), masked by formal guidelines (as in France), or re-emergent through administrative practice (as in Portugal and Ireland), discretionary authority remains a potent force in shaping migrants' access to regularisation. Even where legislative reforms have sought to curtail it, discretion often reconfigures itself through informal channels or administrative inertia.

These illustrative cases discussed point to the urgent need for a deeper reflection on how discretion is conceptualised, constrained, and operationalised within immigration systems, and how migrants experience its effects on the ground. Ensuring procedural justice, legal certainty, and equal treatment requires not only legislative clarity but also political will, institutional accountability, and sustained oversight of administrative behaviour.

3.3.4 POSTCODE LOTTERY AND INEQUALITIES ACROSS TERRITORIES

Administrative obstacles to regularisation lack uniformity, frequently varying significantly across different regions or local jurisdictions, generating a 'postcode lottery' for migrants. Territorial disparities in implementation mean a migrant's chances of regularisation may substantially depend on their residence location and the local office handling their case. Even within a single country, the process might be relatively straightforward in one city yet exceedingly difficult in another.

In Spain, an essential initial step for many migrants involves registering residence with the local municipality (the *padrón*), providing evidence of long-term residence. While legally all residents, irrespective of status, have the right to register on the *padrón*, practical challenges vary considerably by locality. Some municipalities—particularly those with housing shortages or less migrant-friendly administrations—impose informal barriers or stringent requirements, such as proof of stable housing, which many undocumented migrants cannot provide. Migrants lacking formal tenancy agreements or stable housing frequently find registration nearly impossible. A report by Red Acoge (2023) indicates that 8% of migrants surveyed in Spain experienced difficulties registering on the *padrón*, primarily due to housing instability, including homelessness or substandard informal accommodation[5]. In the absence of an official address, migrants occasionally resort to irregular practices; the same report highlighted fraudulent address registrations where individuals paid for listings but became victims of scams. Consequently, migrants in cities with constrained housing markets or resistant local administrations encounter greater challenges obtaining essential documentation for regularisation. Conversely, some municipalities adopt migrant-friendly measures—such as simplifying *padrón* registration procedures or proactively assisting undocumented residents with registration—illustrating how local political commitment can alleviate these barriers. Participants in a stakeholder workshop in Spain noted that committed local officials significantly mitigate bureaucratic hurdles (e.g., proving an address), whereas elsewhere even basic registration remains highly challenging.

In Portugal, regional disparities have similarly emerged regarding scheduling immigration appointments. Research identified substantial regional variation in the availability of interview slots at immigration offices. Applicants from regions with overburdened offices frequently had to travel considerable distances to distant cities or district capitals to secure appointments, incurring additional costs and absence from work. Furthermore, linguistic inequalities were particularly striking: Portuguese-speaking applicants accessed more frequent and earlier appointments compared to non-Portuguese speakers. Given the shortage of officials proficient in foreign languages (such as English) at local offices, non-Portuguese speakers faced extended waiting periods for limited slots offering translation services. Thus, migrants from Portuguese-speaking nations (such as Brazil or Angola) could more swiftly complete regularisation processes, while others experienced additional delays purely due to language barriers. This linguistic bias effectively created a two-tier system within Portugal's regularisation programme, disadvantaging certain nationalities despite identical legal criteria.

Comparable disparities exist in decentralised or locally managed systems elsewhere. In Germany, each state or municipality's Foreigners Office operates semi-autonomously, resulting in substantial variability in resource availability and efficiency. Offices in some cities may efficiently process regularisation applications, whereas understaffed offices elsewhere (such as Berlin's) face significant backlogs. Similarly, in France, although national regularisation laws and criteria are established under CESEDA, departmental prefectures largely determine implementation. Some prefectures are noted for leniency and efficiency, while others adopt stricter, slower practices. French NGOs report that identical applications

[5] Please see: https://redacoge.org/wp-content/uploads/2021/12/A4-INFORME-RETOS-paginas.pdf

might produce different outcomes depending on the département of submission due to variations in local practices and attitudes. This uneven administrative landscape across and within countries introduces additional uncertainty for migrants, meaning location becomes a significant determinant of regularisation success beyond individual qualifications.

3.3.5 THE GAP BETWEEN LAW AND PRACTICE

Despite legal frameworks designed to protect migrants in vulnerable circumstances—even when such protections are selective and limited—regularisation processes face substantial challenges arising from the significant gaps between the letter of the law and its practical implementation (Echeverría 2020). Clear examples of this disconnect can be found in humanitarian regularisation mechanisms across contexts.

In Spain, immigration legislation offers temporary residence permits to undocumented migrants who cooperate with authorities or who have been victims of specific crimes, such as human trafficking or severe labour exploitation. Although these provisions are intended as protections for particularly vulnerable groups, their application remains limited in reality. According to a trade union representative, a critical barrier is the absence of interim residence status during the application process. Unlike victims of gender-based violence or trafficking, who may receive provisional residence permits while awaiting their case outcomes, victims of labour exploitation must wait until a final court ruling confirms the crime before they can secure residency authorisation. This process can take several years, leaving migrants in irregular status—and thus vulnerable to deportation—despite having cooperated fully with authorities. The lack of an effective bridging mechanism prevents migrants from accessing protection precisely when it is most essential. As noted by an NGO representative: "*Legislation is one thing, but practice is another*".

Similar challenges emerge in Italy, where Article 18 of the Consolidated Immigration Act (D.lgs. 286/1998) provides special residence permits to individuals identified as victims of trafficking, predominantly women subjected to sexual exploitation. Although explicitly linking migrant women's legitimacy and deservingness of protection to their victim status and cooperation with authorities, the practical effectiveness of Article 18 remains limited by significant barriers. As highlighted in a recent report by the Group of Experts on Action against Trafficking in Human Beings (GRETA 2018), despite the existence of these legal mechanisms, the number of victims actually receiving such permits remains low. Many migrant women hesitate to report abuses due to fear of retaliation, distrust of law enforcement, and concerns about inadequate protection measures during judicial processes. Such realities illustrate the persistent discrepancies between legal entitlements and lived experiences.

Ireland also presents a comparable case. The primary route out of irregularity in Ireland is engagement with the deportation process under Section 3 of the Immigration Act 1999. Although not formally conceived as a regularisation mechanism, Section 3 provides significant opportunities to resolve irregular status, representing the closest equivalent to permanent regularisation within Irish law. Nevertheless, from the standpoint of irregular migrants, this provision is beset with practical obstacles. Migrants must proactively disclose their presence without assurances regarding their application's outcome, inherently carrying

the risk of deportation. Consequently, many potential beneficiaries choose to remain undocumented rather than engage with authorities. High administrative and legal costs, complex procedural requirements, and restrictive eligibility criteria further exacerbate these barriers, significantly limiting the uptake of available regularisation pathways.

Overall, these cases demonstrate that while the law formally promises protection to migrants who report crimes, in practice, authorities often prioritise immigration enforcement, potentially resulting in deportation orders instead of protection. Such conditions foster fear and mistrust, deterring migrants from pursuing regularisation pathways formally available to them, thereby deepening the gap between legislation and lived experience.

It should be noted that these profound gaps between formal entitlements and actual outcomes can also arise because of bureaucratic systems that fail or refuse to implement laws fairly and efficiently. Closing this gap demands clear, inclusive legislation alongside committed political will and sufficient administrative resources to ensure migrants can genuinely access the statuses for which they qualify.

3.3.6 THE AMBIVALENT INTERMEDIATION

Intermediaries significantly shape migrants' experiences in regularisation processes through a complex network comprising for-profit and non-profit, public and private actors (Xiang & Lindquist 2014, Clochard et al. 2024, Bonizzoni & Hayer 2023, Bonizzoni et al. 2024, Bastide & Yeoh 2025). Civil society organisations often play a central role, assisting migrants in navigating bureaucratic complexities and advocating for inclusive policies, while employers and other stakeholders may either support or exploit these mechanisms based on their interests (Ambrosini 2016).

Given this complexity, migrants frequently rely on intermediaries—individuals or organisations—to help manage the intricacies of regularisation procedures. This reliance underscores both their necessity and the inherent dysfunctionality of existing systems, potentially exacerbating inequalities. Positively, civil society groups, migrant associations, and pro-bono lawyers often facilitate administrative processes and advocate on migrants' behalf. In Spain, France, and Italy, for instance, NGOs and volunteers conduct legal clinics to clarify eligibility criteria, assist with paperwork, and accompany migrants to administrative offices. Such interventions are essential for migrants overwhelmed by complex immigration rules. According to one Spanish policy expert, official guidance is frequently so technical and obscure that it further complicates migrants’ lives. Intermediaries thus act as crucial interpreters and facilitators, enabling migrants to access otherwise unattainable rights.

In France, beyond individual casework, trade unions—most notably the Confédération Générale du Travail (CGT)—and allied associations coordinate collective regularisation filings (*demandes collectives)*. Dedicated desks within the Paris prefecture allow these intermediaries to submit dossiers containing dozens or even hundreds of cases simultaneously, leveraging their organisational clout to simplify procedures for undocumented workers. Empirical evidence indicates that applications channelled through these collective mechanisms achieve markedly higher approval rates than those lodged by migrants acting alone, underscoring the strategic advantage conferred by structured

advocacy networks. While this collective route illuminates the pivotal role of civil-society actors in decoding and streamlining otherwise opaque administrative processes, it simultaneously exposes persistent stratification: only migrants embedded in, or able to access, such organised networks can benefit from these more efficacious pathways.

Nevertheless, intermediaries could expose migrants to further financial burdens and even to further dependence and exploitation in some cases. More precisely, inefficient public services have led to the emergence of informal markets. In Spain, difficulties obtaining official appointments have fostered the rise of informal 'appointment brokers', compelling migrants to pay for expedited services or to hire agents (*gestores*). Reports highlight instances where migrants resorted to unofficial payments for appointments or fraudulent residency documentation, heightening their vulnerability. Although many intermediaries provide legitimate assistance, fraudulent practices persist, disproportionately affecting the most vulnerable migrants lacking social networks or language proficiency. Consequently, migrants able to afford professional support or with sufficient connections have greater chances of successful regularisation, deepening existing inequalities. An identical situation can be found in Italy. The 2020 regularisation programme similarly spurred a burgeoning 'regularisation industry' marked by the marketization of legal-administrative assistance and attendant fraudulent dynamics. Bureaucratic selectivity and complexity – compounded by the programme's narrow sectoral eligibility and a short application window – created fertile ground for intermediaries to step in. Migrants faced with opaque and inefficient procedures often resorted to paying informal agents for help or even purchasing 'real-but-fake' documentation (such as employment contracts obtained *pro forma* for a fee) to meet the regularisation requirements. This deregulated para-legal market led to inflated fees and illicit services: migrants were charged hundreds or even thousands of euros for routine paperwork tasks that would normally take minutes, and unscrupulous brokers setting up sham companies to sell fake job contracts for about €5,000 per person. While some some civil-society and trade union actors refused to commodify their assistance – patronage institutions (*patronati)* and NGOs in Milan, for example, formed networks to offer free or nominal-cost support and disseminate information, explicitly aiming to counter the inevitable '*black market'* of exploitation surrounding the regularisation. Conversely, profit-driven intermediaries unabashedly monetized the desperation of irregular migrants, charging exorbitant prices for basic services and taking advantage of migrants' limited Italian language or digital skills (Bonizzoni et al. 2024, 2025b).

Additionally, the prevalence of intermediaries indicates language and digital access barriers. In Portugal, the shortage of multilingual officials compels non-Portuguese speakers to depend on interpreters or Portuguese-speaking assistants. Increased digitisation of applications amplifies migrants' reliance on community organisations for digital literacy support and internet access. The prominent intermediary role thus reflects systemic inadequacies in accessibility and clarity. Governments should, as recommended by the Spanish policy expert, simplify administrative procedures and enhance clarity to reduce the necessity of specialised assistance. Until such reforms are realised, intermediaries remain essential, albeit problematic, resources in migrants' regularisation journeys. Ultimately, the absence of accessible documentation (e.g., residence address, housing) further exacerbates reliance on informal or fraudulent practices. Migrants sometimes resort to paying intermediaries for false address registrations, as in Italy, where affected individuals

reportedly paid for such illicit services, often without positive outcomes. These practices exploit migrants' desperation and erode trust in official systems.

3.4 REGULATED STATUS FOR LIMITED RESIDENCE

Migrants who manage to regularise their status often find that many hard-won residence permits, in practice, still come with constrained rights. They often hold conditional residence permit that are neither fully secure nor do they afford them the equivalent rights to that of long-term residents or citizens. In this working paper, the comparative approach highlights how 'regularisation' provides a degree of inclusion but often on markedly limited terms, leaving many migrants in a position aptly described as 'conditional on meeting the requirements for renewing their temporary residence permits' or even 'permanently temporary'.

3.4.1 ACCESS TO SOCIAL RIGHTS AND WELFARE ENTITLEMENTS

One fundamental aspect of inclusion is access to social welfare, yet most regularised migrants experience only partial access at best. In the United States, TPS holders remain ineligible for almost all federal public benefits, treated much like undocumented individuals in this regard. They cannot receive non-emergency health coverage, housing or cash assistance, federal disability aid, or federal college financial aid. TPS thus protects from deportation and allows work but offers no foothold into the welfare state's support structures. Germany's 'tolerated' migrants face similar exclusion: instead of normal social insurance or unemployment benefits, they are restricted to the limited Asylum Seekers' Benefits (*Asylbewerberleistungen*) regime and are ineligible for regular Jobcenter welfare support. They also cannot claim certain family or child benefits under law.

By contrast, in countries where regularisation confers a formal residence permit (such as Belgium, Spain or Portugal), the individuals generally gain access to public services like healthcare and at least emergency social support. For example, migrants regularised on humanitarian grounds in Belgium (via Article 9bis) receive a residence card and are granted the right to work and enrol in national insurance schemes as other residents do. Likewise in Spain, those granted *arraigo* have rights to access the public health system and other social services available to legal residents. However, practical barriers often remain: newly regularised individuals may not immediately meet residency duration or contribution requirements for certain benefits, or face administrative delays in obtaining documents to prove entitlement. In Ireland, for instance, non-EEA migrants must satisfy a Habitual Residence Condition before accessing most social welfare; a newly regularised person on a Stamp 4 may thus have to demonstrate continuous residence and intent to settle before benefits are granted.

Emblematically, in Italy, irregular migrants can only access healthcare through a temporary health card known as the STP card (*Stranieri Temporaneamente Presenti*, or Foreigners Temporarily Present). The 2020 regularisation sought to expand healthcare access during the pandemic, extending coverage beyond emergency services, but it fell short of providing

comprehensive care. In practice, issuing health cards to migrants undergoing regularisation proved to be a complex and challenging process. To address the regulatory gap created by the surge in applications, the Ministry of Health—responding to local advocacy efforts—issued a directive (Circular of 14 July 2020) allowing foreign nationals in the regularisation process to enrol in the National Health Service. However, even when health cards were issued, they did not ensure full access to the healthcare system. For instance, many migrants were still excluded from registering with a general practitioner (Bonizzoni et al. 2024).

3.4.2 FAMILY REUNIFICATION

The ability to live with one's family is heavily curtailed under these limited statuses, reflecting a stratification of the right to family life. In the US, TPS is strictly individual – it confers no derivative status to family members. TPS beneficiaries cannot sponsor spouses or children abroad to join them, and each family member must independently qualify for TPS or another status to reside in the country. This leads to protracted separations or hard choices for mixed-status families. Germany's toleration status offers no avenue for family reunification at all, since persons with a suspended deportation order do not hold a residence permit that would allow them to sponsor dependants. In practice, those with *Duldung* must either wait to obtain a more secure status or live indefinitely apart from family left behind.

Other countries impose significant delays or conditions on family reunification. In Portugal, a recent attempt to tighten the rules by requiring two years of legal residence before a regularised migrant could apply to bring in family members was vetoed by the Constitutional Council, and a new legislative proposal is expected to be debated soon. T This means that even after obtaining a work-based residence permit via the old Article 88 or 89 schemes, migrants must first maintain their status for a substantial period and demonstrate self-sufficiency before family reunification becomes possible, especially since the application of these articles has now been suppressed by the national government.

Spain and Belgium similarly condition family reunification on the sponsor's residence status and income. In Spain, a migrant regularised through *arraigo social* or *arraigo laboral* initially receives a one-year permit; only after renewing (generally to a longer-term permit) and demonstrating stable earnings above a set threshold can they petition for close relatives to join them. Belgian law allows a regularised resident to file for family reunification in-country only if they hold a residence permit valid for more than three months, but in practice a 9bis/9ter beneficiary with a short-term permit must show prospect of renewal and sufficient income and housing to be approved.

In Ireland, the sponsorship of family is effectively limited to those with secure statuses (typically Stamp 4 or Stamp 1 holders with longer-term permission). Dependants on Stamp 3 themselves cannot sponsor anyone else – they are by definition family members of a primary migrant. The result of these policies is a pervasive sense of 'family precarity': migrants with limited inclusion often live apart from spouses and children, or if together in the host country, it may be without legal status for the latter. This fragmentation of families is a significant facet of marginalisation, as it deprives migrants of crucial social support networks and emotional stability. Family life is postponed or put on hold, pending the day the sponsor becomes 'secure enough' in the eyes of the law to reunite with loved ones.

Differently, under the 2020 Italian scheme, all regularised migrants could obtain a residence permit, and this status could be extended to their minor children residing in Italy. The inclusion of children was contingent upon their belonging to the same household and their proven presence in the country before March 8, 2020. Although not explicitly provided for in the primary legislation, this inclusion occurred through administrative interpretation: if a parent was granted a residence permit, dependent minors could be recognised as part of the family unit (Decreto Interministeriale 27 maggio 2020). However, the procedure lacked clear operational guidelines, resulting in legal ambiguity and discretionary implementation by local authorities.

3.4.3 WORK AND OCCUPATIONAL MOBILITY

Access to the labour market is a primary benefit of regularisation, but the freedom to work and move occupationally is frequently constrained by legal conditions. In some cases, regularised migrants do gain broad work rights. Spain's *arraigo* social explicitly includes an authorisation to work – whether as an employee or self-employed – with no sectoral or geographic limitations during the permit's validity. This means a person who obtains a one-year *arraigo* residence permit can legally take up employment in any region of Spain and in any field, rather than being tied to a single employer. Such flexibility facilitates economic inclusion, at least in theory.

By contrast, Germany's tolerated status entails heavy labour restrictions. A person with *Duldung* may only work if the Foreigners' Office grants them a work permit for a specific job. They face bureaucratic vetting each time they seek employment, and certain categories of tolerated migrants (for example, individuals originating from countries that are deemed 'safe') have been barred from work altogether under changing regulations. Additionally, persons with a suspended deportation order are not entitled to state-supported integration courses or vocational assistance by default, which hampers their skills development, language acquisition and longer-term mobility in the job market.

Ireland's immigration stamp system also illustrates stratified work rights: Stamp 3 (issued to dependants and some visitors) prohibits any employment or business, effectively rendering the person economically inactive unless they can transition to a different status. Stamp 1, typically tied to an employment permit, allows work but only for the designated employer/sector, limiting job mobility – a holder who wishes to change jobs or careers must navigate a new permit application or risk losing status.

Even when a status allows open labour market access, other factors can restrict mobility. For instance, a migrant regularised in Belgium under 9bis receives the right to work, but their initial residence permit might be short-term (e.g. one year) and contingent on circumstances; this insecurity can make employers hesitant to offer long-term contracts or promotions. Similarly, in Portugal's previous Article 89 regime, an individual had to show proof of employment and 12 months of social security contributions to qualify, effectively binding their legal status to a specific job. If that job was lost, their renewal or stay could be jeopardised.

Considerably, Italy's 2020 regularisation provides an illustrative case of how access to open labour market rights can emerge from a scheme initially structured around employer sponsorship. The measure, which allowed undocumented migrants to regularise their status through employer applications in specific sectors (notably agriculture, domestic work, and care work), might have suggested that successful applicants would be bound—at least initially—to the employer who initiated the procedure. Indeed, during the processing phase, which in many cases has been ongoing for more than four years, migrants were required to maintain the employment relationship in order to finalise the application. However, once the residence permit for subordinate work (*permesso di soggiorno per lavoro subordinato*) was issued, workers were no longer tied to that employer. The permit conferred full access to the labour market under general conditions, enabling immediate occupational and geographic mobility. This outcome was far from guaranteed, given the highly conditional and employer-dependent structure of the regularisation itself, and thus represents a relatively expansive post-regularisation entitlement. Nevertheless, as previously noted, many applicants waited months or even years before receiving legal status, during which time they remained bound to the original employer and excluded from exercising these rights.

Another important example is that of France. Under the implementation of the 2012 *Valls Circular*, residence permits issued on the basis of subordinate employment (*titre de séjour salarié* or *travailleur temporaire*) formally provide access to the labour market. Nevertheless, in practice, many regularised migrants remain in low-skilled and precarious occupations. This outcome is shaped by the non-recognition of informally acquired skills, the difficulty in converting temporary permits into long-term residence, and employers' reluctance to offer stable contracts to individuals with administratively insecure status. The 2024 introduction of the *métiers en tension* residence permit, tied to labour shortages in specific sectors, has expanded regularisation opportunities. Yet it has done so by reinforcing the conditional link between legal status and economic utility, effectively constraining migrants' freedom to pursue alternative occupational pathways.

3.4.4 TEMPORARINESS, CONDITIONALITY AND PRECARITY

A defining feature across the examined contexts is the persistent precariousness of the legal statuses conferred through regularisation programmes, which typically offer temporary or conditional residence rather than a clear route to permanence and citizenship.

With regard to the issue of temporariness, as highlighted by Triandafyllidou (2022), immigration policies in major destination countries across the Europe and North America have become increasingly restrictive, with many nations prioritising temporary or circular migration schemes. These programs are considered particularly appropriate for post-industrial economies characterised by volatile markets and a shift from manufacturing industries towards service-oriented sectors. Temporary migrant workers—whether employed in low-skilled fields such as tourism, hospitality, agriculture, and caregiving, or in highly skilled roles such as engineering, sales management, and scientific research—represent a flexible, dynamic, and 'just-in-time' labour force ideally suited to the demands of polarised labour markets.

Temporary Protected Status (TPS) in the United States exemplifies this inherent temporariness: intentionally designed not to provide a pathway to permanent residency or citizenship, U.S. law mandates a congressional supermajority for any TPS-based adjustment to permanent status. Consequently, TPS holders remain trapped in a prolonged state of uncertainty—often spending decades continuously renewing their status every 6–18 months, yet perpetually uncertain about their future. Similarly, Germany's temporary suspension of a deportation order (*Duldung*) epitomises legal precarity. Typically granted for short intervals, often just a few months, *Duldung* must be regularly renewed and explicitly does not constitute residency permission, merely postponing deportation. Authorities may revoke this protection swiftly once the initial impediment to deportation is resolved. Although pathways like the Opportunity Residence Act (§104c *Aufenthaltsgesetz – Chancen-Aufenthaltsrecht*) offer conditional stability, the criteria of economic self-sufficiency, language proficiency, and documentation significantly restrict access.

In addition, conditionality—broadly understood as behavioural and situational requirements migrants must continuously satisfy—can expose both temporary and 'less temporary' migrants to the constant threat of losing regular status. This dynamic is clearly exemplified by Temporary Protected Status (TPS) in the United States. TPS provides only short-term protection from deportation and work authorisation to migrants from designated countries facing severe crises, such as armed conflict or natural disasters. Yet, this legal protection remains highly conditional and subject to periodic renewals at the discretion of the U.S. government. As the Trump administration's attempts to terminate TPS for nationals of countries like El Salvador and Haiti demonstrated, migrants' legal status can be rapidly revoked following political shifts, placing recipients in an enduring state of uncertainty. This instability is compounded by the complex administrative processes involved in status renewal, including regular fees and strict background checks. As such, migrants under TPS live in a continuous state of liminality, facing repeated bureaucratic hurdles and persistent legal precariousness that profoundly affects their long-term planning and social integration.

With temporary or conditional status, the common thread remains legal precarity. Migrants experience a state of permanent probation, continuously dependent upon the next renewal, if available. Regularisation grants legal visibility, allowing employment, housing, banking, and in some instances, access to public services, significantly enhancing social inclusion and self-sufficiency. However, this inclusion is partial and inherently tenuous, creating conditions akin to second-class residency, marked by constrained rights, economic insecurity, social isolation, and political exclusion. The persistent uncertainty surrounding legal status profoundly affects psychological well-being, long-term planning, and social integration.

More specifically, migrants hesitate to invest in education, businesses, or assert workplace rights, fearing repercussions jeopardising their status. This precarity imposes significant financial and human costs on migrants, undercutting some intended benefits of regularisation. Financially, migrants repeatedly face substantial fees, legal expenses, and loss of earnings due to bureaucratic procedures. Humanly, precarious statuses create persistent stress and uncertainty, negatively impacting integration and the capacity to engage in long-term life planning. Moreover, migrants' children experience disrupted education and social networks due to ongoing uncertainty about their families' future.

It follows a civic stratification that situates regularised migrants above irregular individuals yet below fully secure residents or citizens, embedding them within legally sanctioned marginality (Morris, 2003; Schinkel, 2009; Menjívar, 2006). States thus deliberately manage migrants through partial inclusion, temporarily alleviating immediate vulnerabilities while entrenching enduring inequality and uncertainty. In other words, the limited and conditional nature of these regularisation programmes produces a fragile and unstable form of membership, perpetuating marginalisation rather than fostering true integration and belonging.

4. OVERCOMING CHALLENGES: INDIVIDUAL & COLLECTIVE BENEFITS

This section examines the benefits of regularisation at individual and collective levels, also highlighting practices to address challenges and achieve positive outcomes.

4.1 SIMPLIFICATION, EXPANSION, AND POSSIBILITIES

Regularisation policies for immigrants have demonstrated substantial benefits when they successfully address key challenges such as selectivity, administrative discretion, bureaucratic complexity, unistructurality, and political resistance. By broadening eligibility criteria, limiting discretionary barriers, simplifying procedures, adopting permanent mechanisms, and collectively advocacy for regularisation, countries like Portugal, Spain, and Irland have improved the outcomes of their regularisation initiatives.

4.1.1 BROADENING ELIGIBILITY AND LIMITING DISCRETIONARY BARRIERS

Portugal has adopted two distinct approaches to addressing two regularisation challenges faced by migrants, specifically revolving around discretion and selectivity, though only one continues to be in effect today. The first challenge, discretion, relates to officials possessing extensive discretionary powers to reject regularisation applications, despite applicants meeting formal criteria. Such discretion can lead to unpredictability and unfairness in the process. Recognising this issue, Portugal significantly reformed Articles 88 and 89 of its immigration law through Law No. 102/2017, complemented by Law No. 59/2017. This reform eliminated administrative discretionary powers and instead established an objective entitlement to regularisation for individuals who satisfy specific legal conditions. Prior to this reform, authorities, especially border police, had substantial latitude in refusing applications, which deterred applicants and introduced inconsistency. Post-reform, regularisation became an explicit legal right, enhancing fairness, transparency, and reliability, thus encouraging migrants to regularise their status and employers to provide lawful contracts without fearing arbitrary denials. This shift towards objectivity also streamlined administrative processes, reducing delays and appeals, and thereby contributing to a more stable labour market.

The second challenge, selectivity, pertains to the specific criteria defining eligibility for regularisation. Initially, Portugal's immigration policy, particularly after legislative amendments in 2007 and 2017, provided multiple inclusive pathways for regularisation based on employment, familial relationships, and humanitarian grounds. This inclusive framework effectively minimised rejection rates and ensured that migrants integrated into Portuguese society or labour markets had appropriate legal avenues to residency, thus preventing prolonged irregular status. However, in response to political pressures from rising anti-immigration sentiments and substantial migration inflows, Portugal's immigration policy shifted dramatically in the early 2020s. The 2024 immigration law imposed more selective

and restrictive criteria, emphasising historical and post-colonial connections by privileging migrants from former colonies. This change represents a departure from the previous inclusive, universal regularisation approach and reflects a regression toward the selective and stratified policies prevalent in the 1990s. Such selective criteria undermine the comprehensive assessment of migrants' broader contributions to Portuguese society, labour markets, and fiscal systems, marking a significant policy reversal with profound implications for migration management.

4.1.2 SIMPLIFYING PROCEDURES AND ESTABLISHING PERMANENT MECHANISMS

Simplifying administrative processes and extending permit validity periods provide clear benefits by offering stability and reducing administrative burdens. Spain's immigration regulation reform of 2022 exemplifies such measures, extending initial work-related residence permits from two to four years and simplifying renewal procedures. This ensures migrants have a longer period to stabilise their employment and social networks before facing further administrative hurdles, directly addressing the recurrent issue of migrants falling back into irregularity due to short permit durations and onerous renewal conditions. During the COVID-19 pandemic, Spain also demonstrated its commitment to flexibility by automatically renewing expired permits during the state of alarm, significantly enhancing continuity in migrants' legal status, employment, integration, and long-term earnings potential.

At the local level, Spain addressed bureaucratic complexity surrounding municipal registration (*empadronamiento*), a prerequisite for many regularisation applications. Previously, stringent documentation demands, particularly proof of a stable address, posed challenges for migrants without formal housing arrangements. To resolve this, several municipalities introduced specialised procedures allowing migrants without fixed residences to register as municipal residents without traditional documentation. This approach expedites migrants' access to essential social services, including healthcare and education, and accelerates the accumulation of official residence time required for regularisation via *arraigo social*.

Beyond simplifying procedures, Spain has institutionalised regularisation mechanisms, notably through the *arraigo* system, transcending the historically temporary and crisis-driven nature of such initiatives. Originally codified in Spain's Organic Law 4/2000, *arraigo*, meaning 'rootedness' or 'attachment', provides continuous and stable regularisation pathways for migrants demonstrating clear social, economic, or familial ties. The 2022 Royal Decree 629/2022 further strengthened *arraigo* by enhancing accessibility and flexibility—reducing the required continuous residence period from three to two years and introducing 'arraigo for training purposes', explicitly recognising formal vocational education as a valid pathway to regularisation. The structural permanence of the *arraigo* mechanism significantly improves long-term integration outcomes, reducing the risk of migrants lapsing back into irregularity and enhancing labour market participation, socio-economic stability, and integration.

4.1.3 DEFEATING POLITICAL RESISTANCE THROUGH COLLECTIVE ADVOCACY

Another significant challenge in implementing regularisation policies has been resistance rooted in political discourses portraying regularisation negatively. Ireland serves as a notable example of how civil society organisations (CSOs) effectively counteract such narratives through targeted advocacy.

The Migrant Rights Centre Ireland (MRCI) has played a crucial role in reshaping public and political perceptions by framing regularisation as necessary and beneficial. Through sustained advocacy campaigns like Justice for the Undocumented (JFU), initiated in 2010, MRCI highlighted the experiences and exploitation faced by undocumented migrants, described as providing "*a powerful antidote against the exploitation happening to many undocumented people*" (Words to Win By, 2023). Over time, MRCI also organised symbolic public actions explicitly designed to challenge governmental narratives. Events such as the symbolic 'Shamrock Action' on St Patrick's Day, the creative installation '1000 reasons, 1 wish', and consistent demonstrations outside the Irish parliament effectively highlighted governmental hypocrisy by contrasting Ireland's supportive stance towards undocumented Irish abroad with its restrictive domestic policies.

Furthermore, the landmark policy paper *Ireland is Home* (2014), advocating an 'earned regularisation scheme', lent legitimacy and clarity to regularisation proposals. As a migration-focused journalist remarked, the MRCI "*has been a major influencer in pushing the [regularisation] policy and trying to get the message out there and trying to get [undocumented] people to be seen*". Crucially, the JFU campaign secured support beyond migrant rights circles, aligning trade unions and business groups, including the Irish Small and Medium Enterprises Association (ISME), whose participation underscored the broad appeal of a human-rights framing. Although the advocacy did not directly result in immediate regularisation policy, it provided indispensable 'political cover,' enabling eventual government backing.

4.2 INDIVIDUAL AND SOCIETAL BENEFITS

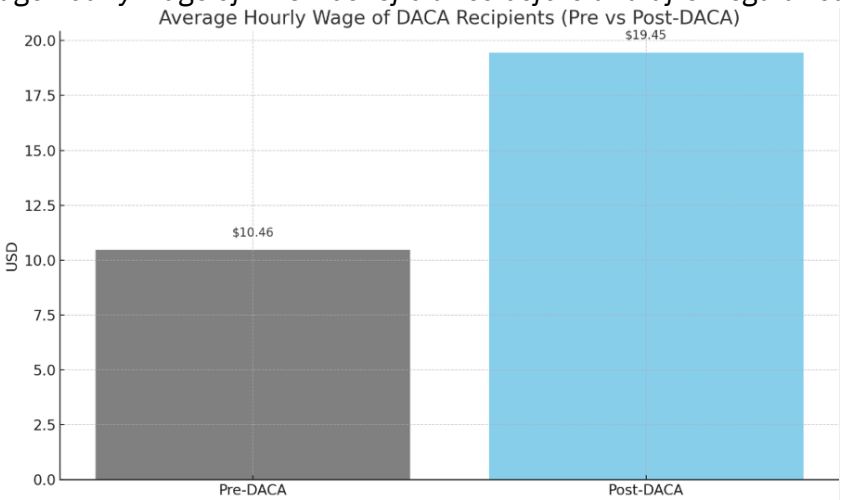
Regularisation can yield multi-faceted socio-economic benefits for both migrants and host countries. This section analyses and compares these benefits across the analysed countries, underscoring variations in scale, effectiveness, and scope of outcomes. It is in fact revealed how different policy approaches shape the benefits of regularisation.

4.2.1 LABOUR MARKET INTEGRATION

Regularisation initiatives consistently facilitate better labour market integration of migrants by allowing legal employment and improving job quality. In the United States, granting work authorisation to young undocumented migrants under the Deferred Action for Childhood Arrivals (DACA) program has led to significant occupational mobility. After receiving DACA status, 58% of beneficiaries obtained better-paying jobs, 48% transitioned to jobs with improved conditions, and 53% secured employment with benefits such as health insurance. Crucially, average hourly wages rose by 86%, from about $10.46 before DACA to $19.45 post-DACA. This dramatic wage increase reflects how legal status enables migrants to move

into higher-paying formal jobs commensurate with their skills, fostering financial independence and upward mobility. For example, Figure 1 illustrates the surge in average wages among DACA recipients following regularisation. Higher earnings not only benefit the individuals but also indicate improved productivity and fill critical labour gaps in the economy. Many DACA recipients have also pursued further education or professional licensing (17% obtained licenses), enhancing their human capital for the labour market (American Immigration Council 2021, Center for American Progress 2022).

Figure 1: Average hourly wage of DACA beneficiaries before and after regularisation.



Source: authors' elaboration based on data by: American Immigration Council 2021, CAP 2022.

Beyond DACA, other U.S. regularisation measures demonstrate labour market benefits. Temporary Protected Status (TPS), which grants temporary legal status and work permits to nationals of countries in crisis, has enabled its holders to become deeply integrated in the workforce. As of 2021, TPS households had an employment rate of 94.6%, indicating near full employment among working-age TPS beneficiaries. TPS holders have proven to be 'reliable workers, earners, and taxpayers', many with long-term careers and even business ownership. Sectors like construction, healthcare, and hospitality rely heavily on these regularised workers, so much so that studies warn ending TPS could cause severe labour shortages in those industries.

European countries similarly report enhanced labour integration following regularisation, though the scale and mechanisms differ. Spain stands out for using ongoing case-by-case pathways (notably the *arraigo* system) to bring migrants into the formal labour market. Extraordinary regularisation programmes between 1985 and 2005 granted status (and work permits) to hundreds of thousands of migrants to meet labour demand, after which Spain transitioned to a permanent system of individual regularisations via *arraigo*. Stakeholders describe this shift as moving from a policy of 'irregularity' to one of 'regularity' in migration management. The *arraigo* procedure (which requires proof of residence or employment ties) has become a widely used route out of irregular status and has measurably reduced the shadow workforce. Thanks to these policies, the estimated irregular migrant population in Spain fell to around 9% of the foreign population by 2020, far below the levels seen in the

early 2000s. In effect, as one Spanish expert observed, *arraigo* has turned irregular status into 'a matter of time'– a temporary phase on the way to legality – rather than a permanent condition. This means many migrants can eventually work legally, preventing the long-term exclusion of a portion of the labour force. Indeed, detailed official statistics indicate that over 60% of migrants holding an *arraigo* residence permit were consistently registered with social security, thus formally employed, each year between 2013 and 2023, with notably higher peaks of labour market participation reaching approximately 70-80% from 2016 to 2022. Furthermore, the data highlights significant improvements in employment conditions post-regularisation, particularly reflected by a notable increase in stable, full-time employment contracts among regularised individuals. These findings underscore the concrete labour market integration benefits associated with regularisation policies in Spain, providing robust evidence of positive socio-economic impacts systematically documented within the national context. Recent reforms in Spain further boost labour market access: Royal Decree 629/2022 eased the hiring requirements for *arraigo*, introduced a new *arraigo para la formación* (training regularisation) to allow irregular migrants to obtain vocational training, and extended work permit durations from 2 to 4 years. These changes aim to better align regularisation with labour market needs by quickly transitioning willing workers into sectors facing shortages. Additionally, Spain improved its seasonal migrant programmes (granting multi-season work authorisations that can convert into longer-term permits) to discourage workers from overstaying their visas and instead incentivise repeat legal employment. Overall, Spain's approach shows that proactive regularisation policies can formalise migrant labour on a large scale – integrating workers, reducing informal employment, and adjusting to economic demand.

Other European cases also illustrate labour market gains, though often on a smaller scale or through different mechanisms. Portugal, after experiencing issues with migrants falling back into irregularity due to short-term permits, enacted a major reform in 2007 to facilitate more stable regularisation, especially for labour purposes. The Portuguese state removed discretionary barriers in the regularisation process (Law 102/2017) to accelerate granting residence permits for employment reasons once the economy began to grow and demand for workers increased. This policy shift reflected recognition that undocumented workers were contributing to the economy informally and that enabling their legal employment would both fill labour shortages and protect their rights. Indeed, between 2007 and 2009 the authorities issued 53,000 residence permits to previously irregular migrants, indicating a substantial movement of workers into the formal sector. A Portuguese civil society stakeholder explained that there is *"a real interest in promoting the regularisation of undocumented migrants as soon as possible because it has a direct impact on their access to social rights and even on their mental health"*, given the profound distress associated with a life without a status. This underscores that timely regularisation is seen as both an economic and humanitarian imperative. However, stakeholders also note that bureaucratic slowdowns have sometimes limited the immediate labour market impact of Portugal's otherwise progressive legislation – *"the legislation is clearly the best in Europe... however, its application is very slow and in practice, bureaucracy prevails and hampers immigrants' access to their rights"*.

In Belgium and France, regularisation tends to be more case-by-case, but when it occurs, similar labour integration benefits are observed. Studies in France indicate that regularised migrants experience gradual improvements in employment stability and can secure better jobs over time. Many begin contributing openly in sectors where they previously worked clandestinely, aided by the work permissions that regular status confers. However, both France and Belgium illustrate that regularisation alone does not erase all labour market challenges. In France, upward occupational mobility for regularised migrants remains limited for many, due to structural barriers such as language, credential recognition, or discrimination. In Belgium, migrants regularised on certain permits face 'limited convertibility' of those permits, meaning it can be hard to change jobs or move into higher-skilled roles due to bureaucratic constraints. Despite these hurdles, the consensus is that regularisation moves migrants out of labour exploitation. Belgian analyses note that regularisation shifts workers into formal sectors, mitigating exploitation in the informal economy. By obtaining work authorisation, previously undocumented workers in Belgium have greater protections (e.g. minimum wage, labour rights) and can escape the precarious conditions of black-market employment. This transition not only benefits the workers themselves but also helps level the playing field in local labour markets by reducing the pool of ultra-cheap, unprotected labour.

Ireland recently implemented a one-off regularisation scheme (in 2022) targeting long-term undocumented residents, many of whom were already working. Policymakers anticipated strong labour market benefits from this measure. As an Irish parliamentary committee noted: "*there are many potential benefits to such a scheme, allowing individuals, many of whom are already in employment and have a long-term connection to the State, to regularise their situation, pay taxes, and make a positive contribution to Irish society*".

The logic was that regularising those already contributing informally would increase their productivity and enable them to fully participate in the booming labour market. Early indications suggest the scheme has indeed allowed thousands of workers to emerge from the shadow economy, filling roles in sectors like agri-food and services that struggled with labour shortages. However, the full impact on employment rates and job mobility in Ireland will require further study, as the programme only recently concluded. What is clear across all these national experiences is that regularisation unlocks migrants' economic potential: by granting the right to work, it improves job prospects, raises incomes, and satisfies labour demand in receiving economies. These outcomes are mutually beneficial, aligning migrants' need for livelihoods with employers' need for workers, thereby fostering more inclusive and efficient labour markets.

In Italy, as permits were issued after processing delays, beneficiaries have quickly transitioned to regular work, changing employers and sectors in different cases. Even past evidence in Italy suggests that most regularised migrants remain in the workforce long-term: studies of earlier amnesties found that around 75% of regularised workers were still formally employed five years later, and only a small fraction (18%) stayed with the original sponsoring employer (INPS 2020). For example, in one northern province (Bolzano), 75% of migrants regularised in 2020 were still employed after 24 months, though just 15% remained with the same employer who sponsored them. Many have moved into new industries such as construction, manufacturing, or hospitality – a sign that legal status is enabling upward job

mobility and better matching of workers to labour shortages, other than a sign of policy use (Triandafyllidou 2017, 2019). Crucially, regularisation also bolsters the formal economy: newly documented employees can earn lawful wages and contribute taxes. Analysts projected that Italy's 2020 amnesty would bring over €1 billion in previously undeclared wages into the open, yielding approximately €265 million in social security contributions and €225 million in income taxes that were formerly lost to the informal sector (INPS 2020). Equally important, regularised workers in Italy gain basic labour protections – minimum wages, contracts, safety nets – reducing exploitation and 'levelling the playing field' in sectors that once relied on ultra-cheap, irregular labour. In short, even with its constraints, Italy's regularisation program has started converting a large shadow workforce into a formal one, allowing tens of thousands of migrants to work legally and securely. This not only improves their livelihoods but also helps satisfy Italy's labour needs (for example, in caregiving and agri-food supply) during a critical period.

4.2.2 ACCESS TO WELFARE SERVICES

Gaining legal status markedly improves migrants' access to welfare services such as healthcare, education, and housing support, though the extent varies by country and program. In countries with robust social welfare systems, regularisation removes legal barriers that previously limited migrants to emergency or informal assistance. For example, Belgium's experience shows that formerly irregular migrants, once regularised, can newly access public healthcare, social housing, and other welfare programmes, whereas before they were largely restricted to emergency aid. Prior to regularisation, undocumented migrants in Belgium could only obtain *ad hoc* emergency support (e.g. urgent medical care or shelter) through local public welfare centres (CPAS/OCMW), and even that access depended on regional policies. Post-regularisation, however, migrants gain access to healthcare, education, and housing assistance on the same basis as legal residents. This expansion of services alleviates social strain and improves quality of life, as migrants can receive preventive healthcare, enrol in public schooling or job training, and obtain housing subsidies if eligible. The result is not only better individual outcomes (healthier, better-educated migrants) but also a reduction in the societal costs associated with excluding a segment of the population from basic services. The Belgian case study notes that extending welfare access after regularisation enhances migrants' quality of life and reduces reliance on crisis interventions.

In Spain and Portugal, which have universal or broad public services, regularisation similarly enables migrants to fully utilise these systems. In Spain, regional policies already allow undocumented individuals some healthcare access, but a regular status ensures full inclusion in the national health system and social security. Once regularised (e.g. via *arraigo*), migrants receive a social security number and can legally work, which typically comes with health insurance contributions and eligibility for benefits like unemployment insurance or pensions. Spain's 2022 reforms, by extending the duration of permits and facilitating renewals, were explicitly designed to prevent migrants from falling back into irregularity and losing access to these entitlements. A longer-term permit (now up to 4 years for work permits) gives individuals time to build up social security contributions and exercise their rights to services without the constant fear of becoming ineligible due to an expired status. In Portugal, the 2007 immigration law improvements were celebrated for their positive effect

on migrants' access to social rights. Under the old system, many migrants with short-term permits could not accumulate sufficient formal employment history to qualify for social benefits, and if they lapsed into irregularity, they lost all claims. The new system granted two-year residence permits (renewable for three years) and even a permanent residence option, which meant migrants could remain on the radar of health, education, and welfare institutions continuously. As one Portuguese civil society representative emphasised, early regularisation has *"direct impact on [migrants'] access to social rights, including healthcare and social support, which in turn relieves the extreme anguish caused by being excluded from these safety nets"*. In practical terms, a regularised migrant in Portugal can register with the national health service, sign up for vocational training programs, and access public housing schemes or income support if needed – options generally unavailable to someone without papers.

A notable contrast is seen in the United States, where regularisation programs like DACA and TPS are temporary and do not confer access to federal welfare benefits. DACA recipients, for instance, are explicitly *ineligible* for federal programs such as Medicaid or food assistance (SNAP), and TPS holders likewise cannot access most public assistance (aside from emergency Medicaid). This means that, unlike in Europe, regularised migrants in the U.S. continue to rely on employment-based or private welfare solutions even after obtaining legal status. Nevertheless, regularisation indirectly improves their welfare situation: with legal work permits, migrants can secure jobs that offer private health insurance or other benefits. Indeed, over half of surveyed DACA recipients (53%) obtained jobs that came with benefits like health insurance and paid leave after regularisation. Many also reported being able to attend college or access scholarships as lawful residents, which enhances their long-term social mobility. While the U.S. approach avoids any increase in public welfare expenditures – fiscal costs of DACA recipients are minimal, as they are ineligible for federal welfare benefits – it also highlights that the welfare gains for migrants are primarily via improved employment and not through government programmes.

In Ireland, the 2022 regularisation scheme granted successful applicants a Stamp 4 permission, which is a status that carries broad access to work and services. Those regularised are now eligible to apply for welfare services just like other residents. For example, a migrant with Stamp 4 can access public healthcare (with the possibility of a medical card for low-income individuals), can contribute to and benefit from social insurance (including unemployment or disability benefits if applicable), and enrol in further education as a domestic student. The Irish status also counts as 'reckonable residence' for naturalisation, meaning time spent under this permission is credited toward the residency requirement for citizenship, which itself is a gateway to the full suite of rights and services. Ireland's scheme thus moved people from a precarious status – in which they might have avoided seeking medical care or other help due to fear of detection – to a secure status where they can interact with public institutions normally. Irish stakeholders observed that regularised individuals could now "*make a positive contribution*" openly and benefit from protections, whereas previously they often lived at the margins despite contributing economically.

Finally, Germany's handling of irregular migrants provides an interesting case of staggered access to welfare. Germany has a tiered system for those in a liminal status (*Geduldete*, or persons with a temporarily suspended deportation order) versus those who achieve a full regularisation. Under a basic *Duldung* (toleration status, often a pre-regularisation stage), individuals have only reduced access to public welfare – often limited to in-kind support or lower cash allowances – and may face restrictions such as residence constraints. If they advance to an expanded toleration (for example, a *Duldung* with more rights or the new Opportunity Residence Act permit introduced in 2022), their access to welfare improves to be on par with citizens in similar need. However, even at this stage, certain rights like full freedom of travel or family reunification might still be withheld (see Section 4). It is only after a complete regularisation, i.e. receiving a standard residence permit, that migrants in Germany enjoy the *same social benefits and welfare entitlements as any other resident permit holder*. In practice, this means a migrant who transitions from toleration to a residence permit can draw unemployment benefits, access public healthcare insurance, and receive housing assistance if eligible. The German case underscores that the degree of welfare access can depend on the form of regularisation – interim or conditional statuses may improve some conditions but not fully equalise rights until a more durable residence status is granted. Still, the direction is clear: each step towards regular status brings closer parity with citizens in terms of welfare and services. Across all countries, then, regularisation tends to move migrants from the periphery of social support to a position of enhanced security, with access to health, education, and welfare services that support their integration. This not only benefits the migrants (through better health outcomes, skills, and living conditions) but also benefits public health and social cohesion by ensuring no significant population is excluded from basic services.

4.2.3 TAX AND FISCAL CONTRIBUTIONS

One of the most documented benefits of regularising irregular migrants is the increase in tax revenues and fiscal contributions to the host country. When migrants emerge from the informal economy and enter legal employment, they begin paying income taxes, social security contributions, and other fees, often in significant amounts given their numbers. In the United States, the fiscal impact of programs like DACA and TPS has been substantial and positive. Households containing DACA recipients contribute an estimated $5.6 billion in federal taxes and $3.1 billion in state and local taxes each year. This roughly $8.7 billion annual tax contribution is a direct result of DACA recipients joining the legal workforce – earnings that were previously untaxed (or under-taxed) are now part of the formal tax base. DACA beneficiaries also participate in the economy as consumers and homeowners: about 60% purchased their first car after regularisation (generating sales tax and registration fees), and 14% purchased homes, contributing $566.9 million in annual mortgage payments and $2.3 billion in rents. These figures indicate stronger consumer activity and investment in communities, which further stimulate local economies. Importantly, because DACA recipients remain ineligible for most public benefits, their tax contributions represent a net gain to public finances; they pay into Social Security and Medicare, for example, without being able to draw from those programs until any future change of status. Participants of this

research have noted that as a result "*DACA does not contribute to increased government welfare spending*", reinforcing that the fiscal balance of the program is highly favourable.

Similarly, TPS holders in the U.S. contribute heavily to fiscal revenue. In a single year, TPS households were estimated to pay over $2.2 billion in taxes, including nearly $1 billion in state and local taxes. Their aggregate spending power, around $8 billion, supports a wide range of industries through consumption. In 2021, TPS participants earned about $10.3 billion in total income, with a portion of that (roughly $1.3 billion) flowing to federal taxes that fund programs like Social Security and Medicare. State and local tax contributions from TPS workers help finance schools, law enforcement, and public infrastructure. As with DACA, TPS beneficiaries are largely not eligible for federal assistance programs, meaning they contribute far more in taxes than they withdraw in benefits. The presence of these regularised workers thus bolsters public coffers. Economists have warned that terminating TPS (thereby stripping work authorisation) would not only remove these tax contributions but could also shrink GDP and reduce consumer spending in certain regions. In short, the legal status of TPS migrants translates into a substantial fiscal boon, and its loss would incur significant economic costs – a testament to how much regularisation can positively integrate migrants into a country's financial system.

European countries also report fiscal benefits, although often without the granular nationwide totals seen in U.S. studies. Spain's large-scale regularisations have historically brought many workers onto the tax rolls. For example, the 2005 extraordinary regularisation (which granted work permits to about 578,000 migrants) was followed by a notable rise in social security registrations and tax revenue in subsequent years (this context is noted in broader analyses, although exact figures are not cited in the provided material). By 2020, Spain's sustained use of *arraigo* and other mechanisms had helped keep the share of irregular migrants low, meaning the vast majority of immigrants in Spain are paying into the tax and social security system. Spanish policymakers argue that it is inconsistent to "*welcome [undocumented] immigrants' contributions to social welfare and their taxes*" while denying them legal status – highlighting that even in irregular status many migrants pay indirect taxes (VAT, etc.) and contribute to the economy, and once regularised they can contribute even more through income taxes and social insurance. One immediate fiscal effect of regularisation in Spain is the injection of contributions into the social security fund, as newly documented workers and their employers begin paying mandatory payroll taxes. These contributions support Spain's pension and healthcare systems, which is particularly beneficial in an aging society that relies on young workers to sustain welfare programs. There is also a reduction in the fiscal costs associated with immigration enforcement and emergency services when people are given a stable status. Although Spain incurs some costs in extending healthcare or education to regularised individuals, these are generally outweighed by the formalisation of their economic activity and tax payments over time (as evidenced by the positive experiences echoed by Spanish stakeholders and researchers).

In Portugal, since the early 2000s, the contribution of foreign workers to social security has been recurrently highlighted by different national governments as a justification to support their liberal approach to irregular inflows. Effectively, the net value of the contributions and expenditures of foreign citizens to social security follows the fluctuations observed in the intensity of irregular inflows and the foreign population settled in the country. Thereby, the

net contribution increased between 2002 and 2005 and declined significantly from 2008 onwards. It was only in the mid-2010s that the value of the net contribution of immigrants' payments to social security started to expand again attaining an unprecedented level in 2022, in correspondence of an immigration wave (Oliviera 2020, 2023).

Belgium and France likewise see increased tax revenue following regularisation, though data is often reported in qualitative terms. A synthesis of Belgian findings concludes that regularisation increases tax revenues and social security contributions by shifting workers to the formal sector. When Belgium undertook a one-time regularisation campaign in 2009 (regularising around 15,000 people), it expected to improve its fiscal balance by regularising work that was already happening informally. Regularised individuals would start paying income taxes and both employer and employee social security contributions. Moreover, bringing workers into legality can reduce the undercutting of labour standards – employers who regularise their workers must pay them officially and contribute on their behalf, which can raise overall wage tax receipts.

In France, where regularisations are more case-by-case (often through employment or family criteria), those who gain status similarly become full taxpayers. Many undocumented workers in France already pay some taxes (such as the value-added tax on consumption, and often income tax through pay-as-you-earn if using forged IDs or borrowing identity documents from someone with a regular residence status), but regularisation ensures they pay into the system under their own identity and qualify for social contributions. Studies have pointed out that while the cost side of regularisation (in terms of any additional public services) is often raised in political debates, the economic benefits are principally highlighted in research, whereas concrete fiscal cost calculations are less common.

In Germany, for instance, an analysis notes that irregular migration impairs economic welfare, while regular migration is economically beneficial. Schreyer (2022) affirms that giving 'tolerated' migrants access to the labour market yields economically beneficial effects, even if these benefits are not immediately quantifiable in a precise monetary sum. The consensus across these studies is that regularisation expands the tax base, increases social security funds, and often involves migrants who are net contributors to public budgets – especially in the short-to-medium term when many are young, working, and not yet eligible for pensions or extensive benefits.

An illustrative case is Ireland's 2022 scheme, which was explicitly framed around bringing people into the tax system. The Irish government projected that regularising up to 17,000 people would lead to higher tax revenues and PRSI (social insurance) contributions, as those already working could come out of the shadows. Early anecdotal evidence showed newly regularised migrants registering with tax authorities and some transitioning from cash-in-hand jobs to formal employment contracts. While Ireland has not yet published a comprehensive fiscal impact, the political narrative – "*allowing [undocumented migrants] to pay taxes, and make a positive contribution to Irish society*" – indicates that the expected outcome is a more robust tax contribution from this population. Notably, because many had been long-term resident, some were already embedded in the economy, and regularisation simply ensured their contributions became visible and properly remitted to the state.

4.2.4 SOCIAL AND PHYSICOLOGICAL WELLBEING

Regularisation has profound effects on the social and psychological wellbeing of migrants, alleviating the stresses of living without status and facilitating a sense of belonging and inclusion. Irregular status often entails chronic anxiety, isolation, and marginalisation; removing the 'irregular' label can dramatically improve mental health and social integration, as evidenced by accounts from multiple countries.

One of the clearest examples comes from DACA beneficiaries in the United States. Beyond the tangible gains in jobs and education, DACA recipients report *"reduced stress and enhanced performance in education and work due to greater stability"*. The constant fear of deportation or arrest had been a heavy psychological burden on these young people. Once regularised under DACA, they experienced immediate relief: they could attend university or go to their job without the looming dread that any encounter with authorities could result in removal. This reduction in stress has translated into better academic outcomes (as students can focus on studies) and improved work performance, as indicated by employers and the individuals themselves. Many DACA recipients also gained a newfound confidence to participate in community life. For instance, some became more civically engaged – while not citizens, DACA youth have organised and advocated for their communities, something they might have avoided when they were completely undocumented and fearful of drawing attention. The ability to obtain a driver's license (available to DACA holders in most states) and other forms of identification further contributed to their social wellbeing, granting them freedom of movement and an official identity in daily life. Furthermore, tangible milestones like buying a car (60% did so post-DACA) or a home (14% did so) are not only economic events but carry psychological significance – they signal a feeling of permanence and hope for the future. These acts imply that DACA beneficiaries moved from living day-to-day to investing in long-term goals, a shift that indicates greatly improved mental outlook and stability.

In Europe, similar patterns emerge. A Spanish academic from a stakeholders' workshop importantly noted that the *arraigo* system turned *"irregularity into a matter of time"* rather than a permanent condition. The significance of this observation is psychological: it gives migrants hope and a timeline for when their situation will improve. Knowing that after a set period (e.g. three years for *arraigo social*) one can apply for legal status makes the hardships of the present more bearable and future-oriented. This shift – from hopelessness to hope – cannot be overstated in its impact on mental health. It prevents what was once common: migrants feeling trapped indefinitely in irregularity, which often led to depression, distrust of society, and disengagement. Now many in Spain view an undocumented phase as a temporary chapter that will eventually close, leading to better coping and integration in the interim. Stakeholders stress that such mechanisms *"avoid turning irregularity into a chronic situation"* for migrants, which in turn avoids the long-term psychosocial damage that chronic marginalisation can cause.

Regularisation also contributes to a sense of dignity and social recognition. The Portuguese experience, for example, highlights the humane dimension: civil society advocates argued for regularisation not just in economic terms but as a matter of dignity and mental health.

They observed that prompt regularisation *"contains direct impact…on mental health, because of the extreme agony [irregular status] creates"*. Undocumented migrants often live in fear of authorities, may avoid going out except for necessities, and feel a stigma of 'illegality' that hampers relationships with others in the community. Gaining status removes the label of 'illegal' and replaces it with an identity recognised by law, which greatly improves self-esteem and more social inclusion. A regularised person is more likely to engage with neighbours, join local associations or religious congregations, and seek help when needed (for instance, visiting a doctor without fear). The quote from a Portuguese CSO stakeholder underscores that mental misery is relieved by the security of papers – people can sleep at night without worrying that 'knocks on the door' might come, and they can plan for events (like family visits, starting a business, or career advancement) that were previously fraught with uncertainty.

Family life and community ties also flourish once legal status is secured. Family unity, as discussed in Section 4, has direct psychological benefits. The prevention of family separation (or the ability to reunite family) means reduced anxiety for parents and children. For example, a former undocumented parent regularised in Ireland or Spain no longer has to fear being taken away from their children, which can dramatically improve that parent's mental wellbeing and the emotional stability of the entire household. Children, in turn, benefit from their parents' increased security – studies have shown that the stress of an insecure status can negatively affect children's school performance and mental health, even if the children themselves are citizens. Thus, regularising the parents indirectly improves the well-being of the next generation, manifesting as better concentration in school and higher aspirations when children see their family's future in the country affirmed.

Social integration indicators tend to improve post-regularisation. In France, it was observed that regularised migrants showed greater civic participation – for instance, joining local community groups, attending city council meetings, or participating in volunteer activities – reflecting a feeling of belonging and the confidence to be visible in society. No longer having to stay 'in the shadows', migrants can forge connections with native residents and other immigrant communities alike. Over time, this can lead to more cohesive communities and mutual understanding. In Belgium, the opportunity to pursue education after regularisation (from language classes to professional training) has helped migrants integrate socially and culturally, as they interact more with peers and instructors and build local networks. Access to housing support means families can move out of substandard, informal living arrangements into decent housing, often in regular neighbourhoods, which accelerates social mixing and inclusion. Regularisation also tends to reduce exploitation and abuse (as noted earlier), which has a psychological dimension: those who previously endured exploitative work or unsafe conditions due to fear of reporting (because of status) can, after regularisation, assert their rights or leave bad situations. The ability to say 'no' to abuse, to report crimes without fear, and to insist on one's rights is empowering and improves overall well-being and trust in institutions.

An interesting aspect of social wellbeing is how regularisation can change public perceptions and self-identity. When a government regularises a group of migrants, it is implicitly acknowledging them as part of 'us', the society. This can reduce the social stigma that locals might attach to migrants. In Portugal, the widely praised 2007 law signalled a national stance

of inclusion, arguably fostering a more tolerant social climate. Regularised migrants often describe feeling more respected and seen as human beings by others, no longer hiding in plain sight. That shift in social standing – from 'irregular migrant' to 'new resident' – can alleviate feelings of shame or otherness that plague many undocumented people. It encourages them to participate in local cultural life, perhaps celebrate their heritage openly (e.g. through festivals) and engage in intercultural dialogue, enriching the host society's social fabric.

However, it is also noted that the benefits to psychological wellbeing can be undermined if regularisation policies are not accompanied by broader inclusion efforts or if a hostile political climate ensues. For instance, in Ireland, while the 2022 regularisation improved many lives, a subsequent rise in anti-immigrant sentiment (as mentioned in Section 6 of this working paper) has introduced new worries for migrants about their acceptance in society. Thus, the psychological benefit of regularisation – the relief, the sense of stability – must be maintained by ensuring that migrants feel truly welcome as new members of society, not scapegoated or resented for having been undocumented. When done in a supportive policy environment, regularisation clearly fosters migrant well-being, reduces chronic stress, and enables individuals and families to engage more fully and happily in social life.

4.2.5 ANALYTICAL GAPS AND STATISTICAL CHALLENGES IN EVALUATION

Qualitative insights derived from interviews and stakeholder workshops, as discussed previously, remain critically important in understanding the broader implications and human dimensions of regularisation policies. Nevertheless, the evaluation of socio-economic benefits associated with regularisation policies remains substantially limited by the paucity of precise international statistical data. Available international datasets predominantly focus on quantitative indicators such as the number of residence permits issued, while largely neglecting detailed assessments of the wider socio-economic impacts, including employment integration, social inclusion, and fiscal contributions.

In Canada, programmes such as the Guardian Angels Program (2020–2021) for healthcare workers and the Out-of-Status Construction Workers Program (2019–2024) were small, sector-specific, and complex. This complexity has impeded reliable data collection on post-regularisation outcomes, severely limiting the ability to evaluate the true economic and social impact of these policies. Concerning the US case, instead, recent data offer a more granular understanding of the DACA-eligible population, which has evolved considerably since the program's inception. According to estimates from the Migration Policy Institute (MPI), the number of individuals who met all initial DACA criteria reached approximately 1.3 million in 2016. This figure included not only those immediately eligible but also individuals who met all requirements except for the educational criterion, and minors under age 15 who would later age into eligibility. However, this population has contracted over time, with MPI estimating that as of December 2023, around 1.5 million people could still qualify under the original criteria. These changes reflect both shifts in migration patterns and the static nature of the original cutoff dates. Notably, only 580,000 individuals currently benefit from DACA, down from a peak of over 800,000, highlighting the program's declining reach due to legal barriers and administrative restrictions on new applications.

In France, approximately 34,403 individuals were regularised in 2023, a stable figure compared to preceding years. Regularisations primarily stemmed from employment-based motives, with salaried workers accounting for 11,311 permits, reflecting a prioritisation of economic integration. Family-linked regularisations represented the largest category, totalling 21,976 cases, further illustrating the importance placed on social cohesion through family reunification processes. Student-based regularisations remained consistent at around 1,016 permits. Despite these clear categorisations, deeper statistical analyses addressing labour market outcomes or broader societal integration post-regularisation remain absent.

In Belgium, the regularisation landscape similarly suffers from a lack of comprehensive socio-economic impact analysis. In 2023, the Immigration Office delivered 2,230 positive decisions out of 6,024 outcomes on 9bis applications (an approval rate of 37%), and 248 approvals out of 1,484 outcomes for 9ter applications (16.7%). During the same year, 4,054 new 9bis applications and 1,294 new 9ter applications were filed. The Democratic Republic of Congo, Morocco, and Albania constituted the top nationalities regularised. Official data also indicate that approximately 58 % of 9bis applicants are former asylum-seekers or migrants who previously attempted other legal channels (family reunification, study, employment) before falling into irregularity[6]. The available data explicitly outline application outcomes but fail to provide information regarding subsequent integration indicators such as employment stability or contribution to the national economy (DVZ, 2024).

Portugal, by contrast, offers a more extensive statistical record, granting 149,174 authorisations of residence in 2023, predominantly for economic integration purposes (108,232 Brazilians were regularised, followed by Angolans and Sao Tomeans). A notable mechanism of regularisation in Portugal has been through labour market integration, requiring a minimum of 12 months' social security contributions. Additionally, regularisation linked to immigrants' descendants increased substantially, reflecting strategic policies to stabilise second-generation immigrant status and indirectly benefiting family units (Lopes & Sousa, 2024). Yet, despite greater statistical availability, robust data assessing long-term socio-economic impacts remain sparse.

Ireland's regularisation framework revealed a success rate exceeding 97% in its recent scheme, with 5,197 positive decisions out of 5,368 assessed cases by 2023. The high approval rate underscores policy effectiveness in addressing irregularity; however, broader analyses of socio-economic integration post-regularisation, such as employment participation or fiscal contribution, are not systematically reported, limiting comprehensive evaluation (Department of Justice, 2023).

Germany's complex regularisation system introduced various pathways, notably the Opportunity Residence Act in 2023, through which approximately 66,697 individuals obtained residence permits by mid-2024. Between 2007 and 2023, around 450,000 permits were issued to previously tolerated individuals, highlighting Germany's active policy approach. Nevertheless, comprehensive statistical analysis of these regularised migrants'

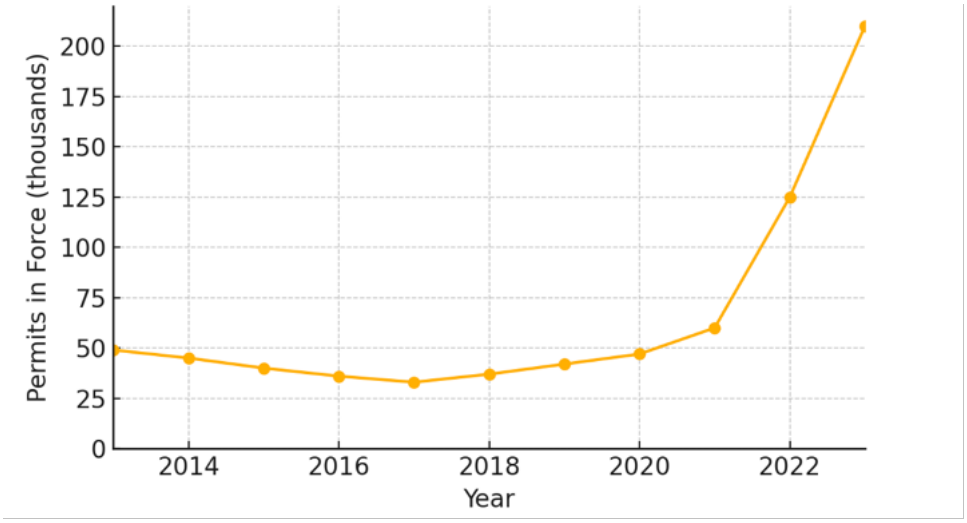
[6] Hence, 9bis operates predominantly as a 'last-resort' mechanism for persons with significant social ties in Belgium whose earlier claims have been exhausted, rather than as a device for bringing undeclared workers out of the informal economy.

subsequent economic contributions or societal integration remains inadequately documented, underscoring persistent analytical gaps (Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration 2024).

Italy's case illustrates similar statistical shortcomings. Its 2020 regularisation programme, only 130,100 permits were granted from over 220,528 applications, with significant administrative backlogs (74.8% of applications processed). This scenario reflects substantial procedural inefficiencies and delays, complicating assessments of long-term socio-economic benefits. Again, statistical frameworks assessing subsequent employment or social integration outcomes remain underdeveloped.

Spain, notably through its *arraigo* scheme, provides a clearer statistical overview. Between 2013 and 2023, the country issued substantial numbers of *arraigo* permits, showing significant growth especially after reforms in 2022 that expanded eligibility. The stock of active permits doubled from 60,538 in December 2021 to 125,351 in December 2022, further rising to 210,334 by December 2023.

Figure 2. Stock of Arraigo Residence Permits in Spain (2013-2023)



*Source: authors' own elaboration based on data by the Permanent Observatory of Immigration (*2024).

Detailed data from the Permanent Observatory of Immigration (2024) further disaggregates these permits by category, revealing significant shifts in the distribution of *arraigo* permits: between 2022 and 2023, family-related permits (*arraigo familiar*) increased by approximately 185%, while training-related permits (*arraigo para la formación*) experienced an even more dramatic surge of around 2,324% in just one year. Additionally, approval rates for *arraigo* applications increased notably from 68% in 2013 to 86% by 2023, underscoring improvements in the efficiency and responsiveness of the Spanish regularisation system. Nationally disaggregated data also reveal clear demographic profiles: the primary beneficiaries of these permits were migrants from Colombia, Morocco, Honduras, and Peru. While gender distribution overall remained balanced, significant feminisation occurred

among certain national groups, with approximately 70% of Honduran and Nicaraguan permit holders being women.

As anticipated in the dedicated section, further available data in the Spanish case indicate that over 60% of migrants holding an *arraigo* residence permit were consistently registered with social security, thus formally employed, each year between 2013 and 2023, with notably higher peaks of labour market participation reaching approximately 70-80% from 2016 to 2022. Furthermore, the data highlights significant improvements in employment conditions post-regularisation, particularly reflected by a notable increase in stable, full-time employment contracts among regularised individuals.

The availability of these detailed and granular data underscores Spain's advanced capacity to monitor and evaluate the impact of its regularisation policies, offering valuable insights into the concrete benefits of regularisation that are often not comparably documented in other contexts. Consequently, Spain stands as a particularly instructive example within the broader comparative landscape, demonstrating how systematic data collection and reporting can significantly enhance understanding of the effectiveness and outcomes of regularisation practices.

5. CONCLUDING REFLECTIONS

This concluding discussion synthesises the key empirical insights of the study and reflects on its broader implications for migration governance, citizenship, and social inclusion.

The comparative analysis across Canada, Ireland, the United States, Spain, Germany, Portugal, Belgium, France, and Italy reveals striking commonalities in both the challenges and the benefits of regularisation. Indeed, it consistently emerges as a double-edged phenomenon: it is fraught with practical and political difficulties, yet it demonstrably yields profound individual and societal gains. For this reason, analysing challenges with a view to overcoming them is crucial and potentially generative. Across all nine contexts, governments have, to varying degrees, resorted to regularisation – whether through time-limited regularisation programmes or continuous regularisation mechanisms. This concluding discussion synthesises the key empirical insights from these cases and reflects on their broader implications for migration governance, citizenship, and social inclusion.

5.1 PERSISTENT CHALLENGES AND PARTIAL INCLUSION

Despite diverse national settings, a convergence of challenges characterises regularisation policies in the Europe and North America. First, bureaucratic complexity and administrative hurdles are pervasive. In each country, migrants seeking legal status face intricate application procedures, strict documentation requirements, and often considerable administrative discretion on the part of officials. These procedures shape access to legal status through the functioning of host-country institutions such as welfare services, immigration offices, and policing systems. Research shows that access to legal status is governed not just at the physical frontier but also through routine gatekeeping mechanisms within state institutions (e.g. proof of residence, income, or identity). This form of 'internal bordering' (Manolova 2021; Fauser 2024) extends certain logics of border control into everyday administrative practice. As a result, acquiring rights becomes a protracted negotiation, with officials determining who passes through the less visible checkpoints of paperwork and eligibility. In practical terms, this complexity deters some eligible migrants from applying and can prolong periods of irregularity or legal limbo, undercutting the policy's intentions.

A second cross-cutting challenge is the selective nature of regularisation. Eligibility criteria typically impose certain requirements, such as stable employment or specific family ties, which could reflect societal consensus as well as underlying assumptions and biases about migrant 'deservingness'. With respect to this last point, Regularisation schemes tend to privilege those who appear to fit certain idealised profiles of worthiness (the hardworking taxpayer, the well-integrated family, the blameless child brought by parents, etc.). However,

the link between such imagined figures and actual access to a regular residence status is not necessarily linear. While public narratives often celebrate hard work, in practice only certain forms of labour – usually easily documented or carried out in certain labour sectors – are recognised within eligibility frameworks. As studies on deservingness argue, these criteria embed moral judgments into policy, drawing distinctions between 'good' and 'less worthy' migrants. Yet the application of such distinctions rarely follows a coherent or consistent logic. At the same time, it can reproduce pre-existing inequalities: those who are poorer, less educated, or otherwise marginalised often lack the resources to navigate demanding procedures and are therefore left out. This results in a stratified system of residence statuses, where those who gain recognition occupy an intermediate position: they are no longer fully undocumented yet still do not enjoy the rights and protections of full citizenship. Furthermore, recognition itself may take different forms, producing a variety of legal statuses and associated rights. Migrants can remain exposed to insecurity through limited-duration permits, employment-related requirements, and continued administrative oversight.

Evidence from all nine countries confirms that even after regularisation, many migrants face ongoing uncertainty: their legal position remains fragile, and they continue to depend on the discretion of institutions. This tension between formal inclusion and lived insecurity significantly curtails the transformative effects of regularisation. In fact, the comparative findings highlight ongoing precarity post-regularisation. The conditional grants of status lead to what one might term a "liminal legality" (Menjívar 2006) – migrants are neither fully excluded nor fully incorporated. They gain the right to stay and work, but often for a limited duration and under tight conditions. Importantly, this legal insecurity is frequently compounded by labour market vulnerability: even if regularised, migrants often remain in unstable, low-paid, or temporary jobs, which heightens the risk of slipping back into irregularity if, for example, a work-based permit cannot be renewed after job loss. This intersection of fragile legal status and precarious employment carries significant human costs, as documented in case studies: individuals report ongoing stress, ambivalence about long-term plans, and constrained civic participation. As anticipated, civic stratification is reproduced rather than eliminated – the person may escape the extreme vulnerability of undocumented life but remains in a second-class position, perceived as below full citizens (Morris 2003a, b; Menjívar 2006). Regularisation alone, especially when designed as a one-time or minimalist fix, thus rarely equates to genuine inclusion; it mitigates marginalisation without entirely overcoming it.

Political and public resistance forms a fourth major challenge. Regularisation is an ambivalent policy tool politically, caught between humanitarian rationales and sovereignty concerns. Across the case studies, a common refrain from opponents is that regularisation amounts to an amnesty rewarding 'law-breakers', potentially encouraging further unauthorised migration. In many countries – notably the United States and several EU states – this concern has translated into protracted political deadlock or only piecemeal measures. For instance, the US has not passed a broad regularisation since 1986, largely due to fears of a 'pull factor' for further irregular entries and normative objections, leaving over 10 million immigrants with no pathway to legal status. Even in Europe, governments often implement

regularisation as a last resort, framing it as an exceptional measure rather than a regular feature of migration management. The crisis-driven, ad hoc nature of many programmes (e.g. one-off yet recurrent campaigns in Italy) underscores this reluctance. While such measures solve immediate problems – responding to labour shortages, humanitarian situations, or the presence of well-settled families – they do not establish a stable, long-term mechanism. This lack of institutionalisation means that new populations of irregular migrants can emerge over time, once again having to wait for the next emergency-driven response. In countries without a standing regularisation process, migrants remain trapped in irregularity indefinitely, with all the attendant social costs.

5.2 TANGIBLE BENEFITS AND SOCIETAL GAINS

It is important to emphasise, however, that the aforementioned challenges do not diminish the substantial benefits associated with regularisation—benefits that are clearly demonstrated in cross-national evidence and that would be conspicuously absent in contexts entirely lacking such measures. Despite bureaucratic hurdles and political misgivings, regularisation has proven to deliver positive outcomes for both migrants and receiving societies.

Individually, the impacts on migrants' lives are often transformative. Gaining legal status allows formerly undocumented people to 'come out of the shadows', reducing their exposure to exploitation and abuse in the workplace. No longer forced to live and work covertly, regularised migrants can move more freely in the labour market and society at large. Studies in multiple countries show that regularisation is associated with improved employment prospects and earnings: migrants can obtain jobs better matched to their skills and negotiate fairer wages once they have work authorisation. For example, research on the 1986 US amnesty (IRCA) found that legal status led to substantial wage gains for previously irregular workers as they transitioned into the formal economy (Kossoudji & Cobb-Clark 2002). Similarly, in Spain and Italy, migrants who benefitted from large-scale regularisation programmes saw demonstrable improvements in job stability and working conditions in the years following.

Legal status also opens access to essential services and rights that were previously denied. Regularised migrants can enrol in public health care and social insurance schemes, sign rental contracts or open bank accounts, and their children can pursue higher education without fear of sudden status-related exclusion. Perhaps most importantly, regularisation provides a sense of security and dignity: people are freed from the constant fear of detection and deportation, which in turn has positive effects on their mental health and overall well-being. Indeed, beyond material gains, migrants frequently describe the psychological relief and restored agency that come with legal recognition – they can plan for the future, integrate into the community, and participate openly in civic life.

At the collective level, host societies even reap notable benefits. Bringing migrants into a legal framework means that more workers are registered in the formal labour market, which tends to raise labour standards overall (by shrinking the pool of easily exploitable clandestine

labour) and prevent the undercutting of local wages. It also directly increases tax revenues and social security contributions, as those regularised can work on the books and are required to pay taxes. In Spain's 2005 programme, for instance, the enrolment of over 570,000 migrants translated into substantial new contributions to the social security system within the first year. By tackling the shadow economy, regularisation can thus have a formalising effect that benefits the rule of law and public finances. There are even indications of broader economic gains: by unlocking migrants' potential (allowing them to invest in education or start businesses openly), regularisation can lead to higher productivity and innovation in the long run.

There is also evidence that regularisation encourages circular migration in some contexts: once migrants have legal status (and especially if they have prospects for long-term residence), they may be more likely to travel back and forth or eventually return home, in contrast to undocumented migrants who often remain trapped in the host country for fear of being unable to re-enter. Furthermore, social inclusion is bolstered when people have a stake in society – regularised migrants can interact with institutions (schools, clinics, local authorities) without trepidation, which facilitates community cohesion and public safety. For example, police chiefs in several countries have noted that when immigrants have legal status, it improves crime reporting and cooperation with law enforcement, since victims and witnesses are not afraid to come forward.

In sum, the empirical record across the nine countries affirms that, for all its limits, regularisation yields concrete social and economic dividends – it benefits the migrants themselves through better integration and also the host society through a more inclusive and regulated socio-economic environment.

It is important to note that these positive outcomes do not imply that regularisation is a simplistic cure-all, nor that it is without trade-offs. Indeed, the comparative perspective offered by these case studies suggests a nuanced reality. Some fears voiced by sceptics – such as the possibility of a 'pull effect' attracting new unauthorised inflows – did not materialise to any significant extent in most of the examined countries. In Spain, for example, analysis after the 2005 mass regularisation found that any uptick in irregular entries was marginal compared to the programme's benefits, and other factors (like Spain's thriving informal economy and demand for labour) better explained ongoing migration trends. Moreover, concerns that many regularised individuals would 'relapse' into irregularity have generally been overstated. While there are cases of migrants falling back into irregular status (often due to overly short permits or onerous renewal conditions), a well-designed programme can minimise this risk – for instance, by issuing multi-year permits and providing clear routes to permanent residence (for more regularisation policy design, see: Van der Vennet 2022). Countries like Portugal and France have in recent years moved towards more durable regularisation statuses to prevent cyclical irregularity, though recent developments suggest that Portugal is reversing this policy paradigm. In short, the evidence challenges the narrative that regularisation is simply an indulgence that invites abuse; instead, it underscores that the greater risk to societal well-being lies in doing nothing. If irregular migrants are permanently excluded from legal incorporation, both migrants and society

suffer: a marginalised underclass is perpetuated, with all the attendant problems of exploitation and social tension.

In particular, Spain provides a particularly illustrative example of a regularisation policy which, despite notable limitations and inherent structural constraints, has yielded substantial socio-economic benefits. Through its systematic implementation of the *arraigo* scheme, Spain has significantly reduced the size of its irregular migrant population—from notably higher levels in the early 2000s to approximately 9% by 2020. Furthermore, detailed statistical analyses reveal consistent evidence of meaningful labour market integration, with more than 60% of regularised migrants formally employed and registered with social security each year between 2013 and 2023, and peaks of employment participation ranging between 70-80% during certain periods. Importantly, regularisation in Spain has also resulted in increased employment stability, as reflected by a clear rise in stable, full-time employment contracts among beneficiaries. Although these policies still involve conditionalities such as initial short-term permits and stringent renewal criteria—factors that maintain a degree of precarity among regularised individuals—the Spanish experience clearly demonstrates that even constrained regularisation frameworks can lead to measurable improvements in migrants' socio-economic conditions and broader societal integration outcomes. As such, Spain serves as a valuable case highlighting how pragmatic regularisation measures, while not eliminating all forms of insecurity, can significantly enhance migrant inclusion and provide concrete benefits to both migrants and host communities.

5.3 BROADER IMPLICATIONS FOR GOVERNANCE & CITIZENSHIP

Reflecting on these findings raises deeper questions about how modern states manage migration and define membership. Regularisation sits at the intersection of migration governance and the boundaries of citizenship. On one hand, it is a pragmatic tool of governance – a safety valve allowing states to correct or mitigate the by-products of restrictive immigration regimes (namely, the build-up of large undocumented populations that cannot realistically be removed). In this sense, the recurrence of regularisation programmes and mechanisms across the Europe and North America (over 4 million people regularised in Europe since the 1980s, in dozens of programmes) reflects an acknowledgment that absolute enforcement is neither feasible nor desirable. Regularisation thus becomes a sort of de facto planning instrument within migration management, even if governments rarely declare it as such. It can address humanitarian obligations (by granting status to families and individuals with strong equities) or allow labour markets to adjust (by regularising needed workers). From a governance perspective, one implication is that migration strategies lacking a regularisation component may be inherently incomplete. The comparative analysis suggests that states which categorically refuse any form of status adjustment tend to face worse outcomes: high costs associated with detention and deportation; an increase in the population living in conditions of visible marginalisation within urban contexts; and mounting pressure on emergency services (not limited to health care) In contrast, incorporating a calibrated regularisation mechanism – whether continuous or

periodic – can make migration governance more holistic and effective, complementing border controls and legal entry channels with a means to address those already inside.

On the other hand, regularisation is unavoidably tied to questions of membership and social inclusion. It operates in the grey zone of citizenship: to regularise someone is to acknowledge their belonging to society, albeit in a tentative manner. This ambivalence has led scholars to view regularisation as a test of the moral and political values underpinning citizenship in liberal democracies. Debates over who should be offered legal status tap into broader ideological currents – balancing human rights versus state sovereignty, the claims of universal personhood versus the particular rights of citizens. The concept of a moral economy of migration policy has been used to describe how publics and policymakers alike weigh these competing imperatives (Ambrosini, 2022). For example, Italy's 2020 emergency regularisation (focused only on agricultural and care workers) revealed an implicit moral hierarchy: certain categories of migrants (those deemed 'essential' to the economy or caring for society's vulnerable) were viewed as more deserving of status than others. This selective inclusion was essentially a moral economy choice – as one interviewee from the Italian analysis noted, some groups of workers were afforded 'more consideration' and empathy in the policy narrative, while others (in non-prioritised sectors) were left out. Such instances underscore that regularisation is not just a bureaucratic act but a symbolic statement about who belongs. It can either challenge or reinforce societal notions of deservingness and belonging. If done broadly and fairly, regularisation can challenge civic stratification by extending membership to those long resident outsiders; if done narrowly, it may reaffirm stratification by only admitting those who fit privileged criteria, effectively telling others that they do not belong.

The broader implications for citizenship are therefore complex. Regularisation blurs the line between citizen and non-citizen statuses, introducing intermediate legal positions (temporarily regularised, on the path to residency, etc.) that complicate the classic binary of insider vs outsider. While full citizenship is not on offer in most regularisation programmes, the act of regularisation is a step toward eventual citizenship for many – or at least toward a more secure residency. This raises the question: to what extent should liberal democracies allow an indefinite semi-integration of migrants? The comparative evidence here hints at a cautious lesson: without clear pathways from initial regularisation to permanent status or citizenship, societies risk creating a permanently precarious cohort. Several countries have recognised this by coupling regularisation with eventual access to long-term residence (for instance, Spain typically grants permanent residency after a number of years on temporary permits). Others, however, have not – the United States' DACA beneficiaries, for example, remain in limbo with no automatic progression to citizenship. The notion of civic stratification is again useful to interpret this: if states do not provide routes for full inclusion, they entrench a layered citizenship structure, with a group of residents who contribute and belong in many ways but are denied equal status and rights. Such an outcome has profound implications for social cohesion and equality.

Finally, this analysis carries implications for social inclusion and the kind of society that host communities strive to be. The presence of a sizeable undocumented population – excluded from basic legal protections – is generally corrosive to social inclusion. It fosters exploitation (as unscrupulous actors take advantage of the vulnerable), fuels xenophobic narratives

(irregular migrants often become scapegoats in political discourse), and creates parallel worlds where a segment of the population lives in constant uncertainty. By contrast, regularisation can be seen as an investment in social inclusion: it is a policy that, at its best, seeks to 'leave no one behind' by bringing marginalised people into the fold. Regularised migrants, when given genuine opportunities to participate (in the workforce, in schools, in local civic activities), tend to integrate further and identify with their new society. Their skills and cultural capital become an asset rather than being wasted on the margins. Communities also stand to gain in terms of public health, education, and safety when all residents – regardless of origin – can access services and protections. In essence, regularisation can strengthen the social contract: migrants assume the responsibilities (paying taxes, abiding by laws) that come with legal status, and in return they receive the protection of the law and a chance to belong. The comparative cases show many anecdotes of this positive dynamic: for instance, Irish civil society groups reported that the 2022 regularisation scheme allowed long-hidden families to finally engage openly with schools and neighbourhoods, transforming both the migrants' prospects and the community's inclusiveness. While such qualitative outcomes are hard to measure, they resonate with the fundamental values of equality and human dignity.

In conclusion, the evidence from these diverse national experiences points to a clear interpretative insight: despite considerable challenges – from bureaucratic hurdles to political opposition – regularisation tends to produce net benefits for societies and individuals, whereas the absence of regularisation mechanisms likely perpetuates harm and exclusion. All countries studied grapple with the central dilemma of contemporary migration governance: how to reconcile the state's prerogative to control immigration with the social reality that millions of undocumented people live and contribute within their borders. Regularisation has emerged, often reluctantly, as a pragmatic answer to this dilemma. It is neither a blanket amnesty nor a silver bullet, but rather a necessary policy tool in the larger migration toolkit. By providing a legal foothold to those otherwise in perpetual precarity, regularisation reduces marginalisation in a way that ultimately benefits the entire society – economically, socially, and morally. At the same time, the selective and conditional designs of most programmes mean that regularisation, as currently practiced, often only partially alleviates inequality. It moves migrants from absolute exclusion to a tentative inclusion, alleviating immediate vulnerabilities but sometimes entrenching a tiered membership. This ambivalence is perhaps inherent to the policy: it is a political compromise between inclusion and control.

For scholars and practitioners, these findings underscore the importance of viewing regularisation not as an isolated administrative act, but as part of the continuum of migration and citizenship. It is a process deeply intertwined with concepts of civic stratification, bordering, and deservingness, reflecting a society's core values and insecurities. The moral economy of migration policy is on full display in how regularisation is debated and implemented – revealing who is considered 'worthy' of membership and on what grounds (economic utility, humanitarian compassion, cultural affinity, etc.). Ultimately, an analytically neutral appraisal of regularisation across the Europe and North America suggests that the cost of not regularising – in terms of human suffering, lost economic potential, and social fragmentation – often outweighs the perceived risks of regularisation. As such, regularisation can be seen as a corrective measure that, while imperfect, addresses the moral and practical

contradictions of liberal democracies confronted with irregular migration. It brings societies a step closer to resolving the tension between upholding immigration laws and ensuring that long-term residents are not consigned to permanent disadvantage. In doing so, regularisation opens up space for critical reflection on the future of migration governance and citizenship: it invites us to imagine more inclusive frameworks where legal status is not a privilege of the few but a realistic prospect for those who have become part of our communities. The comparative lessons from Canada to Italy make one thing evident – when it comes to irregular migration, inclusive responses like regularisation are not about leniency or charity, but about investing in a more equitable and cohesive society for all. Such an investment, this analysis suggests, yields dividends that far exceed its challenges, marking regularisation as a cornerstone of any balanced approach to migration in the 21st century.

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