

Executive Summary Report

Exploration and Analysis of Further Public and Civic Alternatives to RR: Case Studies at Multiple Levels

Case Study: Global Level Alternatives

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Alternatives to Return and Readmission Policies: Comparative Analysis of Argentina, Brazil, Colombia, Canada, Uganda, Türkiye, and Japan

1. Introduction

The WP7 Report on Global Alternatives presents a comparative analysis of alternatives to involuntary return across seven geographically and politically different non-EU countries on a global level perspective: Argentina, Brazil, Colombia, Canada, Uganda, Türkiye, and Japan. It examines how instruments such as large-scale regularisation, temporary protection regimes, humanitarian and special residence measures, conditional pathways, and de-facto integration practices operate as functional alternatives to removal of irregularised migrants. The study documents their effects on legal security, access to socio-economic rights, and integration outcomes, while highlighting differences in durability, rights access, and governance type. The findings demonstrate that alternatives are diverse, context-specific, and politically contingent, yet offer workable, rights-respecting approaches that challenge deterrence-centred and deportation migration paradigms and inform future policy development.

The report explores how governments, local authorities, and civil society actors have developed mechanisms that allow migrants, refugees, and people in irregular situations to remain legally or semi-legally in host countries without immediate removal. The analysis focuses on policies that improve legal security, facilitate access to socio-economic rights, and promote social integration.

The report challenges the assumption that return and deportation constitute the primary or most effective tools of "irregular" migration governance. Drawing on desk research of legal and policy documents, as well as case study interviews (Türkiye), it demonstrates that a wide variety of alternatives already exist globally, ranging from large-scale regularisation programmes and humanitarian protection systems to temporary residence pathways, institutional firewalls, and sanctuary practices.

2. Conceptual Framework

The report identifies five broad categories of alternatives to return and readmission:

1. **Regularisation programmes** providing temporary or permanent legal status.
2. **Conditional residence pathways** linked to employment, humanitarian grounds, or long-term residence.

3. **Institutional firewalls** separating access to services from immigration enforcement.
4. **Humanitarian protection mechanisms** in refugee-hosting countries.
5. **Civil society and municipal sanctuary initiatives** that support migrants regardless of status.

These alternatives are assessed according to their capacity to provide legal security, socio-economic rights, labour market access, social inclusion, and pathways toward more durable status.

3. Comparative Findings

South America: Integration-Oriented Governance

The strongest examples of regularisation and rights-based migration governance are found in South America.

Argentina adopted one of the region's most progressive migration frameworks through the 2004 Migration Law, which recognises migration as a human right. The Patria Grande programme enabled hundreds of thousands of migrants from Mercosur countries to regularise their status through simple, low-cost procedures. Migrants gained access to healthcare, education, employment, family reunification, and eventual permanent residence. Civil society organisations played a central role in both policy development and implementation.

Brazil has gradually shifted from a security-oriented migration framework toward a rights-based model, particularly after the 2017 Migration Law. Regularisation pathways include Mercosur residence permits, humanitarian visas, refugee recognition mechanisms, and residence permits tied to humanitarian circumstances. Brazil's response to Venezuelan, Haitian, Syrian, and Afghan displacement demonstrates the use of flexible legal pathways that provide access to documentation, employment, education, and public services.

Colombia represents perhaps the most ambitious contemporary example of mass regularisation. Faced with large-scale Venezuelan displacement, the country introduced the Temporary Protection Statute (ETPV), granting legal protection to approximately 1.7 million Venezuelans. The programme provides access to employment, healthcare, education, and a pathway toward permanent residence. Colombia has complemented legalisation with a long-term integration strategy involving local government, labour market inclusion, anti-discrimination measures, and social investment.

Together, these South American cases demonstrate that large-scale regularisation can serve as an effective alternative to removal while supporting economic participation, social cohesion, and administrative efficiency.

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Canada: Targeted and Discretionary Alternatives

Unlike South America, Canada does not rely on broad regularisation programmes. Instead, it employs a system of targeted legal pathways.

Key mechanisms include Humanitarian and Compassionate (H&C) applications, private refugee sponsorship schemes, labour-mobility programmes, and temporary public policies designed to address humanitarian or labour market needs. These instruments provide routes to legal status and protection without creating universal regularisation frameworks.

Canada's model combines humanitarian objectives with economic priorities. Although these pathways can provide durable outcomes for many migrants, access remains selective, discretionary, and limited to specific categories. Consequently, Canada represents an intermediate model that balances protection concerns, labour market needs, and migration management objectives.

Uganda: Refugee Self-Reliance as an Alternative

Uganda offers one of the most distinctive alternatives to return through its refugee self-reliance framework.

Under the Refugee Act, refugees are granted rights that are uncommon globally, including freedom of movement, access to land, work rights, education, and healthcare. Uganda promotes a model in which refugees can become economically self-reliant and participate in local communities, rather than remaining isolated in refugee camps or facing return to their countries of origin. By granting access to work, land, education, healthcare, and freedom of movement, Uganda prioritises social and economic inclusion as an alternative to both encampment and deportation. Instead of relying on camps or forced return, the country seeks to foster economic participation, self-sufficiency, and community integration. The country also appears to pursue relatively limited enforcement against many rejected asylum seekers and undocumented migrants, creating a degree of de facto protection from removal.

However, implementation challenges remain substantial. Rapid population growth, pressure on infrastructure and public services, limited resources, declining international funding, and gender-based vulnerabilities constrain the effectiveness of the model. Despite these challenges, Uganda remains one of the strongest examples of an inclusion-oriented alternative to deportation.

Türkiye and Japan: Containment-Oriented Alternatives

The report identifies Türkiye and Japan as examples of more containment-oriented approaches.

Türkiye has developed extensive alternatives to immediate return through temporary protection, conditional refugee status, subsidiary protection, humanitarian residence permits, resettlement pathways, and non-removability provisions. The Temporary Protection regime for Syrians has provided legal status and access to education, healthcare, and limited employment opportunities for millions of people. Despite its scale, the Turkish system remains fundamentally temporary. Most protection categories do not offer clear pathways toward permanent residence or citizenship. The governance model is therefore characterised by what the report describes as "managed non-return" rather than long-term inclusion. Protection is granted, but deportability remains legally preserved and future return remains a policy objective.

Japan offers only limited alternatives through highly discretionary mechanisms such as Special Permission to Stay. These permits may be granted on humanitarian grounds, particularly to long-term residents, individuals with family ties, or rejected asylum seekers facing exceptional circumstances. However, Japan's migration governance remains strongly control-oriented, with no broad regularisation programmes and limited integration opportunities. Alternatives function primarily as exceptional humanitarian accommodations rather than systematic policy tools.

4. Key Cross-Cutting Findings

Several major conclusions emerge from the comparative analysis:

- Alternatives to return already operate in diverse regions and political systems.
- Legal status and rights access significantly improve migrants' socio-economic outcomes and reduce vulnerability.
- Integration-oriented approaches generally provide more durable solutions than purely temporary protection mechanisms.
- Local authorities and civil society organisations are often critical actors in implementation.
- Administrative discretion can provide flexibility but may also generate uncertainty and unequal access.
- Large-scale return and deportation are frequently difficult to implement effectively, particularly in contexts of protracted displacement and established social ties with local community in the host country.

The report identifies four broad approaches to alternatives to return and readmission:

1. **Rights-based regularisation models** (Argentina, Brazil, Colombia), which provide legal status and access to work, healthcare, education, and long-term integration through regularisation and protection frameworks.

2. **Refugee self-reliance and humanitarian protection models** (Uganda), which grant refugees extensive socio-economic rights and freedom of movement, promoting inclusion and economic participation as alternatives to return.
3. **Targeted and discretionary pathways** (Canada), which provide protection and legal status through humanitarian, labour-market, and sponsorship mechanisms without broad regularisation programmes.
4. **Containment-oriented models** (Türkiye and Japan), which prevent immediate removal through temporary, conditional, or discretionary statuses but generally offer limited pathways to durable legal inclusion and maintain varying degrees of legal precarity.

5. Implications for Migration Governance and EU Policy

The study of comparative global situation demonstrates that alternatives to return are neither theoretical nor exceptional. Across different regions, states have implemented practical solutions that combine humanitarian protection, regularisation, temporary legal status, labour market participation, and access to public services. These approaches often respond more effectively to long-term displacement realities than enforcement-centred policies alone.

Compared with the current EU context, a major difference lies in the level of policy development and implementation. Within the EU, regularisation remains politically contested and largely falls within national competence. Although EU legislation permits Member States to grant residence permits on humanitarian or other grounds, there is no common EU regularisation framework. Migration policy debates continue to be dominated by concerns about potential pull factors of large-scale regularisations, as well as academic research raising serious doubts about the effectiveness of return policy. By contrast, many countries outside Europe have moved beyond conceptual discussions and implemented alternatives at scale. Argentina, Brazil, and Colombia have established large regularisation schemes; Canada has developed humanitarian and labour-based legal pathways; Uganda has institutionalised refugee self-reliance; and Türkiye has operated extensive temporary protection mechanisms. These examples show that alternatives to return are already functioning as central elements of migration governance in many parts of the world.

A second important difference concerns policy orientation. In Europe, migration governance increasingly emphasises return and deportation, although municipalities, civil society organisations, and some national governments continue to advocate more inclusive approaches. Outside the EU, the report identifies two broad trajectories. Some countries pursue integration-oriented models that connect legal status with employment, healthcare, education, social protection, and long-term inclusion. Others rely on more containment-oriented frameworks that protect individuals from immediate return but maintain temporary or precarious legal status. Nevertheless, even these more restrictive models provide meaningful alternatives beyond straightforward deportation.

Both the European and global experiences highlight the importance of local governance and civil society engagement. Municipal authorities, community organisations, legal aid providers, and migrant support networks frequently play a crucial role in facilitating access to services, legal pathways, and social protection. In practice, many of the most innovative alternatives emerge through cooperation between national authorities, local governments, and civil society actors.

6. Conclusion

The evidence presented in this report demonstrates that alternatives to return are already embedded in migration governance systems across diverse regions and political contexts. Contrary to the assumption that return and deportation constitute the primary instruments of migration management, the cases analysed show that governments frequently rely on a range of legal, administrative, and humanitarian mechanisms that allow migrants to remain lawfully or semi-lawfully in host countries while accessing basic rights and opportunities. These alternatives emerge not only from humanitarian considerations but also from practical governance realities, including labour market needs, protracted displacement, administrative constraints, and long-term social integration objectives.

A significant distinction between the global experiences examined in this report and the current European context lies in the level of policy development and practical implementation. Within the European Union, regularisation remains politically sensitive and largely dependent on national decision-making. While the EU legal framework permits Member States to grant residence permits on humanitarian or other grounds, no common EU-wide regularisation mechanism has emerged. Policy debates continue to be shaped largely by concerns regarding return effectiveness, migration control, and the potential incentives that regularisation might create.

By contrast, the global evidence reviewed here demonstrates that alternatives have already been implemented on a substantial scale in many regions of the world. Argentina, Brazil, and Colombia have adopted extensive regularisation programmes that provide legal status and access to rights for large migrant populations. Canada has developed humanitarian and labour-based pathways that facilitate legalisation through targeted admission mechanisms. Uganda's refugee self-reliance framework grants access to work, movement, education, and healthcare, while Türkiye has established one of the world's largest temporary protection systems, providing legal stay and essential rights to millions of displaced persons. These examples illustrate that alternatives are not merely conceptual policy options but functioning instruments of contemporary migration governance.

Another important distinction concerns the broader orientation of migration governance. Current European policy discussions continue to place strong emphasis on return and deportation, even as

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municipalities, civil society organisations, and some Member States advocate more inclusive approaches. The implementation of alternatives often depends on national and local actors because EU-level competence in this area remains limited. In contrast, the countries examined in this report reveal two broad governance models. Argentina, Brazil, Colombia, and Uganda have adopted relatively integration-oriented approaches that connect legal status with access to employment, education, healthcare, social protection, and long-term inclusion. Türkiye and Japan, by comparison, demonstrate more containment-oriented approaches that protect migrants from immediate removal while maintaining temporary, conditional, or precarious legal statuses. Nevertheless, even these more restrictive systems provide meaningful alternatives beyond straightforward return and deportation.

The analysis also highlights the crucial role of local authorities and civil society across different governance contexts. Municipal governments, community organisations, legal aid providers, faith-based organisations, and migrant support networks frequently act as key intermediaries between migrants and state institutions. They facilitate access to services, support regularisation procedures, provide legal assistance, and promote social inclusion. Across the studied cases, many of the most innovative and effective alternatives have emerged through cooperation between national authorities, local administrations, and civil society actors.

Overall, the findings suggest that migration governance does not need to rely exclusively on return-centred approaches. The experiences of countries across South America, North America, Africa, and Asia demonstrate that alternatives based on legal security, socio-economic inclusion, humanitarian protection, and institutional cooperation can be both effective and sustainable. While political and administrative challenges remain, the global evidence demonstrates that alternatives to return and readmission are already operational across diverse regions and governance systems and that rights-based alternatives are in practice and can contribute to more balanced, humane, and effective migration governance.

While the EU continues to debate the appropriate balance between return and regularisation, many countries outside Europe have already moved further toward practical experimentation with regularisation, temporary protection, humanitarian pathways, and integration-oriented migration management strategies. They have accumulated extensive practical experience with rights-based alternatives. The global comparative analysis suggests that migration governance can be more sustainable when it prioritises legal security, access to rights, socio-economic participation, and institutional cooperation rather than relying exclusively on removal. Rights-based alternatives are not only feasible but have become integral components of migration governance in several parts of the world, offering valuable lessons for future policy development within and beyond Europe.