



GLOBAL IMMIGRATION TRENDS – JULY 2024

Introduction

This global migration summary provides an overview of the latest updates and trends in immigration policies, highlighting shifts in various regions across the world and how it affects Nigerians that intend to apply for immigrant and non-immigrant visas.

Africa

South Africa

Introduction of Remote Worker Visa (Digital Nomad Visa)

The final amendments to South Africa's Immigration Regulations brought about notable changes to the country's immigration status. One of such innovations is the introduction of the long-awaited digital nomad/remote worker visa category.

The remote worker visa allows foreign nationals to work remotely for a foreign employer while residing in South Africa, provided their annual gross earnings amount to not less than One Million Rands (R1,000,000), which is approximately Fifty-Five Thousand Four Hundred Dollars (\$55,400).

The visa enables foreign nationals to reside in South Africa and perform permitted activities for up to three (3) years, with the option to renew for an additional two (2) years.

It is important to note that foreign national who work in South Africa for more than six (6) months within the three (3)-year period, must register with the South African Revenue Service (SARS) and will be subject to tax obligations. However, where the visa duration is six months or less, the foreign national can apply for an exemption from registering as a taxpayer with SARS.

With this development, South Africa joins the growing list of African nations offering digital nomad visas, including Cape Verde, Mauritius, Namibia, and Seychelles.

Nigeria

United Arab Emirates (UAE) Lifts Visa Ban on Nigerians

On July 15, 2024, it was announced by the Federal Government of Nigeria, that the UAE Government has officially lifted visa restrictions on Nigerians with immediate effect. This update follows an agreement reached between the UAE authorities and the Nigerian Federal Government.

As announced by the Minister of Information and National Orientation, Mohammed Idris, after a Federal Executive Council meeting presided over by President Bola Tinubu, Nigerian passport holders can now travel to the UAE without hindrance (subject to obtaining the appropriate visa/immigration permit)

This decision comes after nearly two (2) years of diplomatic disputes that led to the UAE imposing a visa ban on Nigeria. Additionally, Emirates Airline had halted flights to Nigeria due to financial disagreements. Recent negotiations and payments by the Nigerian government have resolved these issues, resulting in the lifting of the visa ban.

With this development, Nigerians can now freely obtain visas to travel to the UAE, marking a significant improvement in bilateral relations between the two (2) countries.

Europe

Netherlands

Implementation of European Union's (EU) Blue Card Directive

In 2021, the European Parliament issued the (EU) 2021/1883 Directive on the conditions of entry and residence of non-EU nationals for the purpose of highly qualified employment (the "Directive") in twenty-five (25) countries within the EU.

In a recent move towards adopting the Directive, Netherlands has enacted its EU Blue Card Regulations (the "Regulation") to domesticate the EU Directive.

The new Regulation introduces salient provisions to the EU Blue Card scheme in Netherlands. Under these regulations, the restrictive requirement that all applicants must have relevant academic experience in the relevant field to obtain the EU Blue Card in Netherlands has now been removed and foreign nationals with five (5) years of professional experience in a relevant field may now qualify for the EU Blue Card. Furthermore, Information and Communication Technology ("ICT") professionals with a minimum of three (3) years work experience in the preceding seven (7) years are now eligible for the EU Blue Card, and do not require higher educational qualifications.

Additionally, the mandatory minimum validity period of employment contracts has been reduced to six (6) months from the previous twelve (12) month minimum duration.

Another notable introduction is the reduction to the minimum salary threshold requirement for eligibility for the EU Blue Card from Six Thousand Two Hundred and forty-five Thousand Euros (€6,245) to Five Thousand, Three Hundred and Thirty-one Euros (€5,331), equivalent to Five Thousand Seven Hundred and Seven United States Dollars (US\$5,707) gross per month.

Further, the validity timeline of the EU card has now been extended from four (4) year to five (5) years, which includes the duration of employment plus three months.

Additionally, Blue Card holders with at least two (2) years of employment can be unemployed for up to six (6) months without losing their status.

Germany

Introduction of the Act on Further Development of Skilled Immigration

Recently, Germany passed the Act on the Further Development of Skilled Immigration, expanding opportunities for skilled workers from non-European Union (EU) states to take up employment in the country with relaxed immigration requirements for visa applications. The new law was fully enforced on June 1, 2024.

The relaxed requirements now recognize that even where qualifications are not formally recognized in Germany, foreign skilled workers are permitted to work in non-regulated professions in Germany. The prerequisites include at least two (2) years of professional experience and a vocational or university degree recognized in the country of origin. Formal recognition of the professional qualification in Germany is not necessary.





To apply as a skilled worker, the applicant's qualifications must be officially recognized. This process is facilitated through the new recognition partnership, which enables individuals from third countries to first enter Germany and then complete the entire recognition procedure in Germany. The prospective skilled worker and their employer are required to apply for recognition after entering Germany and to actively engage in the procedure, including any necessary training.

This development builds upon the changes introduced by the Skilled Immigration Act that took effect on March 1, 2020

Find more: <https://www.auswaertiges-amt.de/en/-/2248702>

Finland

Finland begins the use of automated post-decision monitoring of Specialists' Residence Permits

On June 17, 2024, the Finnish Immigration Service commenced the use of automated post-decision monitoring verify that holders of residence permit for specialists, issued on or after January 1, 2023, still meet their permit requirements.

The residence permit for specialists, is granted to individuals arriving in Finland to work in expert roles that require special expertise and who meet all the permit criteria.

The post-decision monitoring will focus on the key requirements for residence permits for startup entrepreneurs, such as whether the entrepreneur has moved to Finland, and whether the specialist is receiving a commensurate salary. If it is discovered that a permit holder no longer meets the qualifications upon which the permit was initially issued, the permit will be revoked.

Find more: <https://migri.fi/en/post-decision-monitoring-of-residence-permits>

Finland amends Citizenship Act: Imposes stricter requirements for citizenship acquisition

On July 5, 2024, the President of Finland, Alexander Stubb, approved some amendments to the Finnish Citizenship Act which will take effect from October 1, 2024. The amendment introduces stricter criteria for the acquisition of citizenship.

The required residence period for acquiring Finnish citizenship has been extended from five (5) to eight (8) years. Furthermore, by virtue of this amendment, only the time spent in Finland with a valid residence permit would be considered in calculating the period of residence. Consequently, any period taken in processing an asylum application or under any immigration permit other than a valid residence permit, will be excluded in calculating the period of residence. Similarly, for beneficiaries of international protection in Finland, the approved period will begin when they are issued a residence permit, although their applications will be urgently processed.

Additionally, an applicant's health, age, etc are no longer grounds for approving a residence period without a residence permit.

Furthermore, with this amendment, the residency requirement for children aged fifteen (15) years or above, stateless persons, spouses of Finnish citizens and applicants meeting the language proficiency requirement will be extended from four (4) to five (5) years. However, residence requirement for Nordic citizens and spouses of workers at Finnish missions abroad remains at two (2) years.

Overall, this extension is to ensure a tightened requirements for citizenship acquisition towards ensuring proper integration before citizenship is granted.

South & North America

United States of America

The Department of Homeland Security ("DHS") extends Temporary protection Status ("TPS") for Haitian Nationals

The United States announced the extension of temporary protection status for Haitians by eighteen (18) months, effective from August 4, 2024, to February 3, 2026, due to the ongoing urgent humanitarian needs and in line with U.S. national interests.

Haitian nationals who have been continuously residing in the United States ("U.S") since June 3, 2024, can apply or register for TPS.

The validity of certain Employment Authorization Documents("EADs") previously issued under Haiti's TPS designation will be automatically extended through August 3, 2025. To obtain a valid EAD after August 3,2025 through February 3, 2026, Haitian nationals must re-register for TPS and file Form I-765, Application for Employment Authorization.

The TPS redesignation makes it possible for approximately Three Hundred and Nine Thousand (309,000) additional Haitian nationals who meet eligibility requirements to file initial TPS applications.

Find more : <https://www.federalregister.gov/documents/2024/07/01/2024-14247/extension-and-redesignation-of-haiti-for-temporary-protected-status>

Relaxed application policy for Green Card by undocumented spouses and illegal immigrants

On June 18, 2024, the United States announced a new policy: "Parole in Place" to protect undocumented spouses of US citizens from deportation and permit eligible persons to work in the US legally. The Parole in Place Policy permits

(A) undocumented spouses of US citizens: (i) with no criminal records, (ii) who entered the US and have been living in the country for more than ten (10) years as of June 17, 2024, and (iii) paid their taxes apply for the permanent residence permit.

(B) eligible immigrant children: (i) who are unmarried (ii) less than 21 years of age (iii) and whose parents have been married before the child turned eighteen (18) to apply for the permanent residence permit.

This permit would consequently enable the originally undocumented spouses and children of US citizens apply for the US citizenship. Applications pursuant to the Parole in place policy measure would commence by fourth quarter of 2024, and each application would be distinctly considered.

Find more: <https://www.bbc.com/news/articles/c4nnyr4j9w5o>

Canada

British Columbia to introduce three new International Graduate PNP Streams in 2025

The British Columbia Provincial Nominee Program (BCPNP) announced that by January 2025, it would introduce three new Provincial Nominee Program (PNP) streams for international graduates.

These three streams - the Bachelor's, Master's and Doctorate streams – will provide a pathway to Canadian permanent residence and enhance employment prospects. To be eligible, the International graduates must have obtained either a degree, diploma or certificate from an eligible post-secondary institution in Canada within the last three years, in addition to other requirements including that the student must have a full-time job offer with no determined end date or must have a full-time job offer lasting at least 1 year in a skilled occupation for applicants interested in the Bachelor's Stream and Master's stream respectively.

To qualify for any of the streams, among others, an applicant must have a minimum of Canadian Language Benchmark (CLB) 8. Notably, NOC TEER 0 occupations are ineligible for any of these streams.

By the end of the year 2024 and prior to the commencement of the new streams, an updated edition of the BC PNP Skills Immigration Program Guide will be published with complete stream criteria.

Find more: <https://www.cicnews.com/2024/06/british-columbia-is-introducing-three-new-international-graduate-pnp-streams-next-year-0644667.html#gs.b5t97y>

Asia Pacific

Thailand

New Long-Term Visa for Remote Workers, Investor-type Visas and Eased Rules for Foreign Students/Retirees

The Government of Thai has unveiled the Destination Thailand Visa ("DTV") program, which will allow digital nomads to stay and work in the country for up to five (5) years.



Although the DTV program is yet to be concretized, the overall goal of the initiative is to make Thailand a tourist hub through the removal of short timelines associated with tourist visas. The DTV features the issuance of a five (5)-year multiple entry visa to successful applicants, in country stay of up to one hundred and eighty (180) days extendable for an additional one hundred and eighty (180) days, permission to bring dependents under twenty (20) years and spouses among others. The DTV also does not have a specific minimum income requirement however applicants are required to meet the minimum money in the bank threshold to support their stay in Thailand.

The introduction of the DTV program is aimed at attracting digital nomads, remote workers, freelancers and individuals interested in living in Thailand but have limited long-term visa options.

In addition to this, the Thai Government has introduced other visa initiatives such as the new Eastern Economic Corridor ("EEC"), which is an investor-type visa. The EEC is tailored for foreign investors looking to invest in the key Eastern provinces Rayong, Chonburi, and Chachoengsao, as well as Bangkok (peripheral) and Samut Prakan (peripheral). The Visa is suitable for specialists, executives, professionals and their dependents if applicable. The EEC visa entitles them to a reduced income tax-rate of seventeen percent (17%).

Additionally, as part of Thailand's tourism initiatives, foreign students will now be entitled to an additional year of stay after graduation. Retirees also enjoy reduced health insurance coverage making it convenient for retirees to live in Thailand.

Find more: <https://www.lexology.com/library/detail.aspx?g=b943f583-520b-471b-8f63-536f0dccc5b>

Australia

Migration System Reforms: Amendments to Visa policies

The Australian Government has announced a change to its migration system to address the practice of temporary visa holders extending their stay through continuous visa applications, also known as "visa hopping".

The key visa reforms include:

Visitor Visa - Visitor visa holders will no longer be able to transition to student visas while onshore. This change is intended to prevent the misuse of visitor visas for long-term stays.

Temporary Graduate Visa - Temporary Graduate Visa (485) holders will no longer be able to extend their stay by obtaining a student visa while in Australia. This measure is designed to ensure that graduates do not bypass the standard migration processes by continually switching visa categories.

Post-study Work Rights and Age Limits - reduction in post-study work rights for international students. There will be a reduction in age limits for certain visa categories, making it more challenging for older individuals to exploit the system. Additionally, proficiency in English language has become a necessary skill to contribute effectively to the Australian community.

Find more: <https://www.migrationexpert.com.au/blog/australia-student-visa-485-visitor-visa-hopping-policies/>

Amendments to Australian Migration Rules

The Australian Government has issued the Migration Amendment (Visa Application Charges) Regulations 2024 (the "Regulations") which became operational on July 1, 2024.

The Regulations were made to implement the annual indexation of Visa Application Charges (VACs) pursuant to which the VACs for most visa categories will increase by two-point seven five percent (2.75%). Notably, this regulation introduces a significant one-off increase in VACs for Student (Temporary) visas, with the base application charge now pegged at One Thousand Six Hundred United States Dollars (US\$1,600), and additional applicant charges set at One Thousand One Hundred Ninety United States Dollars (US\$1,190) for adults and Three Hundred Ninety United States Dollars (US\$390) for minors.

Essentially, these changes are geared towards ensuring a sustainable migration growth in Australia.

Find more: <https://migrationalliance.com.au/immigration-daily-news/entry/2024-07-migration-amendment-visa-application-charges-regulations-2024.html>

Australia begins Workplace Justice Visa

Australia has introduced a new visa pathway, the Workplace Justice Visa, under the Migration Amendment (Workplace Justice Visa) Regulations 2024. Effective from July 1, 2024, this visa is designed to ensure fair working conditions and provide support to migrant workers who have been exploited in the workplace.

The visa offers temporary migrants, who have suffered workplace exploitation, the opportunity to stay and work in Australia while pursuing justice. Applicants must be involved in workplace justice activities, such as being a complainant, victim, or alleged victim in criminal or civil proceedings related to workplace exploitation.

The visa initially allows for a stay of six to twelve (6-12) months, with the possibility of extension up to four (4) years. Applicants must be present in Australia when applying, although they do not need to be present when the visa is granted. There are no application charges for this visa, but applicants must obtain certification from an authorized body confirming evidence of workplace exploitation.

This initiative by the Australian government aims to promote safe working conditions for migrant workers and enable them to seek justice for workplace exploitation.

Find more: <https://migrationalliance.com.au/immigration-daily-news/entry/2024-06-migration-amendment-workplace-justice-visa-regulations-2024.html>

CONCLUSION

The global migration landscape continues to evolve with significant policy changes taking place in several regions. A prominent trend in these reforms is the increasing focus on accommodating the shifting dynamics of the global labor market, which includes digital nomads, skilled workers, unskilled workers in search of new opportunities.

This alert is for general information only. It is not offered as advice, on any particular matter, whether legal, procedural or otherwise.

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