



Migrant Rights Initiative

Migrant Rights Initiative Migrant Rights Database Coding Instrument (2020 Data Collection)

The Migrant Rights Initiative's Migrant Rights Database (MRD) is the first global data source benchmarking the extent to which states fulfill international obligations in national law, as reflected in the Initiative's International Migrants Bill of Rights (IMBR), and how they implement these protections. The database applies a novel instrument that permits the objective, cross-national accounting of the laws protecting migrants' rights enshrined in national legal frameworks. This is the instrument used for the Initiative's 2020 MRD data collection. For more information visit www.migrantrightsinitiative.org.

Start of Block: Basic Information

Q1 What is your name?

Q2 What country are you coding?

End of Block: Basic Information

Start of Block: Vulnerable Migrants

Category 1 Vulnerable Migrants

Q3 Does the law take child status into consideration in the context of migration and provide special protections for migrant children vis-a-vis migrant adults?

No

Yes



Q3.1 CITATION/COMMENT:

Does the law take child status into consideration in the context of migration and provide special protections for migrant children vis-a-vis migrant adults?

Citation _____

Comment _____

Q3.2 To what extent is this migrant right protection implemented by the immigration agency, law enforcement and/or the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q4 Does the law take the vulnerability of women into consideration in the context of migration and provide special protection for migrant women who are vulnerable vis-a-vis other migrants?

No

Yes



Q4.1 CITATION/COMMENT:

Does the law take the vulnerability of women into consideration in the context of migration and provide special protection for migrant women who are vulnerable vis-a-vis other migrants?

Citation _____

Comment _____

Q4.2 To what extent is this migrant right protection implemented by the immigration agency, law enforcement and/or the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q5 Does the law take disabilities into consideration in the context of migration and provide special protection for migrants with disabilities vis-a-vis other migrants?

No

Yes



Q5.1 CITATION/COMMENT:

Does the law take disabilities into consideration in the context of migration and provide special protection for migrants with disabilities vis-a-vis other migrants?

Citation _____

Comment _____

Q5.2 To what extent is this migrant right protection implemented by the immigration agency, law enforcement and/or the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Page Break _____



End of Block: Vulnerable Migrants

Start of Block: Life

Category 2 Life

Q6 Does the national law prohibit the use of force by its officers or agents as a means of preventing migrants from entering the state's territory?

No

Yes

Q6.1 CITATION/COMMENT:

Does the national law prohibit the use of force by its officers or agents as a means of preventing migrants from entering the state's territory?

Citation _____

Comment _____



Q6.2 To what extent is this migrant right protection implemented by the law enforcement, military and/or the border patrol?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-

Q7 Does the national law prohibit the use of lethal force by its officers or agents as a means of preventing migrants from entering the state's territory?

- No
 - Yes
-

Q7.1 CITATION/COMMENT: Does the national law prohibit the use of lethal force by its officers or agents as a means of preventing migrants from entering the state's territory?

- Citation _____
 - Comment _____
-



Q7.2 To what extent is this migrant right protection implemented by the law enforcement, military, and/or the border patrol?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-

Q8 Does the national law prevent trafficking and regulate smuggling?

- No
 - Yes
-

Q8.1 CITATION/COMMENT: Does the national law prevent trafficking and regulate smuggling?

- Citation _____
 - Comment _____
-



Q8.2 To what extent is this migrant right protection implemented by the judiciary and/or the law enforcement?

- Effectively never
- Rarely
- Sometimes
- Usually
- Effectively always

End of Block: Life

Start of Block: Liberty

Category 3 Liberty

Q9 Does the national law entail an obligation to allow consular officials and migrants (who are nationals of the consular sending state) to communicate, for example under Article 36 of the Vienna Convention on Consular Relations?

- No
 - Yes
-



Q9.1 CITATION/COMMENT: Does the national law entail an obligation to allow consular officials and migrants (who are nationals of the consular sending state) to communicate, for example under Article 36 of the Vienna Convention on Consular Relations?

Citation _____

Comment _____

Q9.2 To what extent is this migrant right protection implemented by the law enforcement and/or the border patrol?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q10 Does the national law prohibit the detention of children on the basis of their status as a migrant?

No

Yes



Q10.1 CITATION/COMMENT: Does the national law prohibit the detention of children on the basis of their status as a migrant?

Citation _____

Comment _____

Q10.2 To what extent is this migrant right protection implemented by the immigration agency, law enforcement, and/or the judiciary (if privatized, detention company)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q11 Does the national law prohibit the detention of migrants solely based on their immigration status?

No

Yes



Q11.1 CITATION/COMMENT: Does the national law prohibit the detention of migrants solely based on their immigration status?

Citation _____

Comment _____

Q11.2 To what extent is this migrant right protection implemented by the immigration agency, law enforcement and/or the judiciary (if privatized, detention company)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q12 Does the national law allow migrants to appeal legality, conditions, or length of detention?

No

Yes



Q12.1 CITATION/COMMENT: Does the national law allow migrants to appeal legality, conditions, or length of detention?

Citation _____

Comment _____

Q12.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q13 Does the national law require an individualized determination for the detention of a migrant?

No

Yes

Q13.1 CITATION/COMMENT: Does the national law require an individualized determination for the detention of a migrant?

Citation _____

Comment _____



Q13.2 To what extent is this migrant right protection implemented by the judiciary?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-

Q14 Does the national law provide that migrants have a right to be free from torture and cruel, inhumane, and degrading treatment?

- No
 - Yes, right to be free from torture but not cruel, inhumane, and degrading treatment
 - Yes
-

Q14.1 CITATION/COMMENT: Does the national law provide that migrants have a right to be free from torture and cruel, inhumane, and degrading treatment?

- Citation _____
 - Comment _____
-



Q14.2 To what extent is this migrant right protection implemented by the judiciary?

- Effectively never
- Rarely
- Sometimes
- Usually
- Effectively always

End of Block: Liberty

Start of Block: Legal Personhood

Category 4 Legal Personhood

Q15 Do migrant workers have the right not to have identity documents confiscated by anyone, other than a public official duly authorized by the law?

- No, no such right specified or implied in any law
 - Yes, right implied by existing laws (e.g., constitutional laws)
 - Yes, right for migrants explicitly specified
-



Q15.1 CITATION/COMMENT: Do migrant workers have the right not to have identity documents confiscated by anyone, other than a public official duly authorized by the law?

Citation _____

Comment _____

Q15.2 To what extent is this migrant right protection implemented by the judiciary, law enforcement and/or the labor agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q16 Does the national law require registration of the births of migrant children, regardless of their status?

No

Yes



Q16.1 CITATION/COMMENT: Does the national law require registration of the births of migrant children, regardless of their status?

Citation _____

Comment _____

Q16.2 To what extent is this migrant right protection implemented by the birth registration office?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q17

Does the national law mandate the issuing of documents that recognize migrants' residency status, work status, or identity?

No

Yes



Q17.1 CITATION/COMMENT: Does the national law mandate the issuing of documents that recognize migrants' residency status, work status, or identity?

Citation _____

Comment _____

Q17.2 To what extent is this migrant right protection implemented by the immigration agency/labor agency/agency that issues identification?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q18 Does the national law make it illegal for anyone to destroy documents that recognize migrants' residency status, work status, and identity?

No

Yes



Q18.1 CITATION/COMMENT: Does the national law make it illegal for anyone to destroy documents that recognize migrants' residency status, work status, and identity?

Citation _____

Comment _____

Q18.2 To what extent is this migrant right protection implemented by the judiciary and/or the law enforcement?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Legal Personhood

Start of Block: Due Process

Category 5 Due Process

Q19 Does the national law provide migrants with the right of equal protection of the law before administrative, civil and criminal courts and tribunals, on the basis of equality with citizens?

No

Yes



Q19.1 CITATION/COMMENT: Does the national law provide migrants with the right of equal protection of the law before administrative, civil and criminal courts and tribunals, on the basis of equality with citizens?

Citation _____

Comment _____

Q19.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q20 Do migrants have a right to counsel at government expense in proceedings related to their legal status as a migrant?

No

Yes



Q20.1 CITATION/COMMENT: Do migrants have a right to counsel at government expense in proceedings related to their legal status as a migrant?

Citation _____

Comment _____

Q20.2 To what extent is this migrant right protection implemented by the judiciary (or the immigration agency, if there is a separate administrative process)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q21 Do migrants have a right to interpretation at government expense in criminal proceedings?

No

Yes



Q21.1 CITATION/COMMENT: Do migrants have a right to interpretation at government expense in criminal proceedings?

Citation _____

Comment _____

Q21.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q22 Does the national law include provisions permitting civil or criminal sanctions for acts that can only be committed by migrants (such as for unauthorized entry)?

No

Yes



Q22.1 CITATION/COMMENT: Does the national law include provisions permitting civil or criminal sanctions for acts that can only be committed by migrants (such as for unauthorized entry)?

Citation _____

Comment _____

Q22.2 To what extent is this migrant right protection implemented by the judiciary and/or the law enforcement?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Due Process

Start of Block: Victims of Crime

Category 6 Victims of Crime

Q23 Does the national law provide migrant victims of crime with the right of access to criminal proceedings, on the basis of equality with citizens?

No

Yes



Q23.1 CITATION/COMMENT: Does the national law provide migrant victims of crime with the right of access to criminal proceedings, on the basis of equality with citizens?

Citation _____

Comment _____

Q23.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q24 Does the national law provide migrant victims of crime an avenue to immigration status or relief from expulsion as a result of being a victim of a crime?

No

Yes



Q24.1 CITATION/COMMENT: Does the national law provide migrant victims of crime an avenue to immigration status or relief from expulsion as a result of being a victim of a crime?

Citation _____

Comment _____

Q24.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Victims of Crime

Start of Block: Expulsion, Asylum, and Non-refoulement

Category 7 Expulsion, Asylum, and Non-refoulement

Q25 How, if at all, do criminal and other convictions affect residence status?

minor convictions (administrative offenses) can lead to loss of residence status

only major convictions (criminal offenses) can lead to loss of residence status

convictions do not affect residence status



Q25.1 CITATION/COMMENT: How, if at all, do criminal and other convictions affect residence status?

Citation _____

Comment _____

Q25.2 To what extent is this migrant right protection implemented by the immigration agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q26 Does the national law ban refoulement on the basis of a risk of return to torture or cruel, inhuman or degrading treatment or punishment?

No

Yes



Q26.1 CITATION/COMMENT: Does the national law ban refoulement on the basis of a risk of return to torture or cruel, inhuman or degrading treatment or punishment?

Citation _____

Comment _____

Q26.2 To what extent is this migrant right protection implemented by the judiciary (or the immigration agency, if there is a separate administrative process)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q27 Does the national law ban refoulement on the basis of a risk of return to persecution on the basis of race, religion, nationality, membership of a particular social group, or political opinion?

No

Yes



Q27.1 CITATION/COMMENT: Does the national law ban refoulement on the basis of a risk of return to persecution on the basis of race, religion, nationality, membership of a particular social group, or political opinion?

Citation _____

Comment _____

Q27.2 To what extent is this migrant right protection implemented by the judiciary (or immigration agency, if there is a separate administrative process)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q28 Does the national law ban refoulement on the basis of a risk of serious deprivations of fundamental human rights (such as the right to life)?

No

Yes



Q28.1 CITATION/COMMENT: Does the national law ban refoulement on the basis of a risk of serious deprivations of fundamental human rights (such as the right to life)?

Citation _____

Comment _____

Q28.2 To what extent is this migrant right protection implemented by the judiciary (or the immigration agency, if there is a separate administrative process)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q29 Does the national law require a person to be advised of the possible availability of asylum before being expelled or prevented entry?

No

Yes



Q29.1 CITATION/COMMENT: Does the national law require a person to be advised of the possible availability of asylum before being expelled or prevented entry?

Citation _____

Comment _____

Q29.2 To what extent is this migrant right protection implemented by the judiciary/law enforcement/immigration agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q30 Does the national law ban expulsion to any country where a migrant is likely to be subjected to refoulement through a subsequent expulsion?

No

Yes



Q30.1 CITATION/COMMENT: Does the national law ban expulsion to any country where a migrant is likely to be subjected to refoulement through a subsequent expulsion?

Citation _____

Comment _____

Q30.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q31 Does the national law provide that a migrant can only be expelled only when justified by facts relevant to the individual concerned and only pursuant to a decision reached in accordance with and authorized by law?

No

Yes



Q31.1 CITATION/COMMENT: Does the national law provide that a migrant can only be expelled only when justified by facts relevant to the individual concerned and only pursuant to a decision reached in accordance with and authorized by law?

Citation _____

Comment _____

Q31.2 To what extent is this migrant right protection implemented by the judiciary (or the immigration agency, if there is a separate administrative process)?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q32 Does the national law provide migrants with an opportunity to submit the reasons against expulsion and to have their case reviewed by the competent authority before being expelled?

No

Yes



Q32.1 CITATION/COMMENT: Does the national law provide migrants with an opportunity to submit the reasons against expulsion and to have their case reviewed by the competent authority before being expelled?

Citation _____

Comment _____

Q32.2

To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Expulsion, Asylum, and Non-refoulement

Start of Block: Nationality

Category 8 Nationality



Q33 How, if at all, do criminal and other convictions affect citizenship status?

- Minor convictions (administrative offenses) can lead to loss of citizenship status
 - Only major convictions (criminal offenses) can lead to loss of citizenship status
 - Convictions do not affect citizenship status
-

Q33.1 CITATION/COMMENT: How, if at all, do criminal and other convictions affect citizenship status?

- Citation _____
 - Comment _____
-

Q33.2 To what extent is this migrant right protection implemented by the agency in charge of citizenship?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q34 Do economic migrants have pathway to citizenship?

- No
 - Yes, but there may be residency requirements that have to be met
-

Q34.1 CITATION/COMMENT: Do economic migrants have pathway to citizenship?

- Citation _____
 - Comment _____
-

Q34.2 To what extent is this migrant right protection implemented by the agency in charge of citizenship?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-

Q35
Do humanitarian migrants have pathway to citizenship?

- No
- Yes, but there may be residency requirements that have to be met



Q35.1 CITATION/COMMENT: Do humanitarian migrants have pathway to citizenship?

Citation _____

Comment _____

Q35.2 To what extent is this migrant right protection implemented by the agency in charge of citizenship?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q36 Do family migrants have pathway to citizenship?

No

Yes, but there may be residency requirements that have to be met



Q36.1 CITATION/COMMENT: Do family migrants have pathway to citizenship?

Citation _____

Comment _____

Q36.2 To what extent is this migrant right protection implemented by the agency in charge of citizenship?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q37 Does the national law allow migrants to obtain dual nationality?

No, no migrants may obtain dual nationality

Conditional, depending on the country of origin or some other consideration

Yes, all migrants can obtain dual nationality



Q37.1 CITATION/COMMENT: Does the national law allow migrants to obtain dual nationality?

Citation _____

Comment _____

Q37.2 To what extent is this migrant right protection implemented by the agency in charge of citizenship?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Nationality

Start of Block: Family

Category 9 Family



Q38 Does the national law provide settled migrants with legal avenues to facilitate reunification with immediate or non-dependent family members?

- No
 - Conditional
 - Yes
-

Q38.1 CITATION/COMMENT: Does the national law provide settled migrants with legal avenues to facilitate reunification with immediate or non-dependent family members?

- Citation _____
 - Comment _____
-

Q38.2 To what extent is this migrant right protection implemented by the immigration agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q39 Is there a judicial remedy to challenge the refusal by the authorities to allow family formation/reunification?

- No
 - Conditional
 - Yes
-

Q39.1 CITATION/COMMENT: Is there a judicial remedy to challenge the refusal by the authorities to allow family formation/reunification?

- Citation _____
 - Comment _____
-

Q39.2 To what extent is this migrant right protection implemented by the judiciary?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q40 Are same sex marital relationships recognized under the family reunification framework?

- No
 - Conditional
 - Yes
-

Q40.1 CITATION/COMMENT: Are same sex marital relationships recognized under the family reunification framework?

- Citation _____
 - Comment _____
-

Q40.2 To what extent is this migrant right protection implemented by the immigration agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q41 Does the national law require that a migrant demonstrate the ability to meet certain resource conditions (such as income, insurance, residence, etc.) for family reunification?

No

Yes

Q41.1 CITATION/COMMENT: Does the national law require that a migrant demonstrate the ability to meet certain resource conditions (such as income, insurance, residence, etc.) for family reunification?

Citation _____

Comment _____

Q41.2 To what extent is this migrant right protection implemented by the immigration agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Family

Start of Block: Freedom of Thought, Conscience, and Religious Belief

Category 10 Freedom of Thought, Conscience, and Religious Belief



Q42 Does the national law recognize and protect the right of freedom of thought, conscience and religion or belief of migrants on an equal basis with citizens?

No

Yes

Q42.1 CITATION/COMMENT: Does the national law recognize and protect the right of freedom of thought, conscience and religion or belief of migrants on an equal basis with citizens?

Citation _____

Comment _____

Q42.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Freedom of Thought, Conscience, and Religious Belief

Start of Block: Freedom of Opinion and Expression



Category 11 Freedom of Opinion and Expression

Q43 Does the national law provide migrants with full freedom to hold opinions commensurate with that afforded to citizens?

No

Yes

Q43.1 CITATION/COMMENT: Does the national law provide migrants with full freedom to hold opinions commensurate with that afforded to citizens?

Citation _____

Comment _____

Q43.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always



Q44 Does the national law provide migrants with full freedom of expression commensurate with that afforded to citizens?

No

Yes

Q44.1 CITATION/COMMENT: Does the national law provide migrants with full freedom of expression commensurate with that afforded to citizens?

Citation _____

Comment _____

Q44.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Freedom of Opinion and Expression

Start of Block: Freedom of Peaceful Assembly and Association

Category 12 Freedom of Peaceful Assembly and Association



Q45 Does the national law recognize and protect the right of freedom of association commensurate with that afforded to citizens?

No

Yes

Q45.1 CITATION/COMMENT: Does the national law recognize and protect the right of freedom of association commensurate with that afforded to citizens?

Citation _____

Comment _____

Q45.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always



Q46 Does the national law recognize and protect the right of freedom of assembly commensurate with that afforded to citizens?

No

Yes

Q46.1 CITATION/COMMENT: Does the national law recognize and protect the right of freedom of assembly commensurate with that afforded to citizens?

Citation _____

Comment _____

Q46.2 To what extent is this migrant right protection implemented by the judiciary?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Freedom of Peaceful Assembly and Association

Start of Block: Civil and Political Life



Category 13 Civil and Political Life

Q47 Does legal admission create a legal right for migrants to vote in local and/or regional elections?

- No right to vote in any election
 - Right to vote in local/regional elections after some time
 - Immediate right to vote in local/regional elections
-

Q47.1 CITATION/COMMENT: Does legal admission create a legal right for migrants to vote in local and/or regional elections?

- Citation _____
 - Comment _____
-

Q47.2 To what extent is this migrant right protection implemented by the election agency?

- Effectively never
- Rarely
- Sometimes
- Usually
- Effectively always



Q48 Does legal admission create a legal right for migrants to stand for election (run for public office)?

- No right to run for public office in any election
- Right to run for public office in local/regional elections after some time
- Immediate right to run for public office in local/regional elections

Q48.1 CITATION/COMMENT: Does legal admission create a legal right for migrants to stand for election?

- Citation _____
- Comment _____

Q48.2 To what extent is this migrant right protection implemented by the election agency?

- Effectively never
- Rarely
- Sometimes
- Usually
- Effectively always

End of Block: Civil and Political Life

Start of Block: Labor



Category 14 Labor

Q49 Do migrant workers have the right to equal pay to that received by the local workers doing the same work?

No

Yes

Q49.1 CITATION/COMMENT: Do migrant workers have the right to equal pay to that received by the local workers doing the same work?

Citation _____

Comment _____

Q49.2 To what extent is this migrant right protection implemented by the labor agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always



Q50 What restrictions, if any, are there on migrant workers' right to free choice of employment?

- Employment tied to specific employer and no change of employer possible
 - Employment tied to specific employer; change of employer possible, but requires new work permit application
 - Workers can freely change employers within a specific sector/occupation/region
 - Migrant workers have completely free choice of employment
-

Q50.1 CITATION/COMMENT: What restrictions, if any, are there on migrant workers' right to free choice of employment?

- Citation _____
 - Comment _____
-

Q50.2 To what extent is this migrant right protection implemented by the immigration agency and/or the labor agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q51 Does the spouse/partner of the principal migrant have the right to work (without having to apply for permission)?

- No
 - Yes, but limited (e.g. by sector or occupation)
 - Yes, unrestricted right to work
-

Q51.1 CITATION/COMMENT: Does the spouse/partner of the principal migrant have the right to work (without having to apply for permission)?

- Citation _____
 - Comment _____
-

Q51.2 To what extent is this migrant right protection implemented by the immigration agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q52 How, if at all, does the loss of employment affect immigration status?

- Loss of employment automatically implies the loss of residence permit
 - Loss of employment implies loss of residence status unless a new job is found within a specified time period
 - Loss of employment does not affect residence status
-

Q52.1 CITATION/COMMENT: How, if at all, does the loss of employment affect immigration status?

- Citation _____
 - Comment _____
-

Q52.2 To what extent is this migrant right protection implemented by the immigration agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q53 Beyond the issue of equal pay, do migrant workers have the same rights to equal employment conditions and protections (e.g., overtime, hours of work, weekly rest, paid holidays, sick pay, health and safety at work, protection against dismissal) as local workers?

- No, migrant workers have significantly fewer legal rights
 - Migrants have a right to most of the employment conditions and protections for citizens
 - Yes, migrants have a right to the same employment conditions and protections
-

Q53.1 CITATION/COMMENT: Beyond the issue of equal pay, do migrant workers have the same rights to equal employment conditions and protections (e.g., overtime, hours of work, weekly rest, paid holidays, sick pay, health and safety at work, protection against dismissal) as local workers?

- Citation _____
 - Comment _____
-

Q53.2 To what extent is this migrant right protection implemented by the labor agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q54 Do migrant workers have the right to form trade unions and other associations?

No

Yes

Q54.1 CITATION/COMMENT: Do migrant workers have the right to form trade unions and other associations?

Citation _____

Comment _____

Q54.2 To what extent is this migrant right protection implemented by the labor agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always



Q55 Does legal admission create a right for migrants to legal remedies/redress in the case of withdrawal or non-renewal of a residence permit, or in case of a deportation order?

- No
 - Yes, but relatively limited
 - Yes
-

Q55.1 CITATION/COMMENT: Does legal admission create a right for migrants to legal remedies/redress in the case of withdrawal or non-renewal of a residence permit, or in case of a deportation order?

- Citation _____
 - Comment _____
-

Q55.2 To what extent is this migrant right protection implemented by the judiciary?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q56 Do migrants have the right to equal access to public retirement pension schemes?

- No right to access any public retirement pension schemes
 - Access to some, but not all types of public retirement pension schemes; no equal access under this program
 - Equal access to all types of public retirement pension schemes after some period of time
 - Yes, immediate equal access to all types of public retirement pension schemes
-

Q56.1 CITATION/COMMENT: Do migrants have the right to equal access to public retirement pension schemes?

- Citation _____
 - Comment _____
-

Q56.2 To what extent is this migrant right protection implemented by the retirement agency and/or the public benefits agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q57 Do migrant workers have the right to equal access to unemployment benefits?

- No access to any unemployment benefits
 - Access to some, but not all types of unemployment benefits; no equal access under this program
 - Equal access to all types of unemployment benefits after some time
 - Yes, immediate equal access to all types of unemployment benefits
-

Q57.1 CITATION/COMMENT: Do migrant workers have the right to equal access to unemployment benefits?

- Citation _____
 - Comment _____
-

Q57.2 To what extent is this migrant right protection implemented by the public benefits agency and/or the labor agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-



Q58 Does the national law provide temporary or irregular migrant workers with avenues to become lawfully settled?

- No, there is no opportunity to acquire permanent residence status
 - Yes, there is an opportunity to switch to permanent status after certain conditions are met
-

Q58.1 CITATION/COMMENT: Does the national law provide temporary or irregular migrant workers with avenues to become lawfully settled?

- Citation _____
 - Comment _____
-

Q58.2 To what extent is this migrant right protection implemented by the immigration agency?

- Effectively never
 - Rarely
 - Sometimes
 - Usually
 - Effectively always
-

Q59 If your answer to Q58 is yes, is it unconditional on visa type?

- No
- Yes



Q59.1 CITATION/COMMENT: If your answer to Q58 is yes, is it unconditional on visa type?

Citation _____

Comment _____

Q59.2 To what extent is this migrant right protection implemented by the immigration agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q60 Do migrant workers have the right to redress if the terms of their employment contract have been violated by their employer?

No

Yes, but limited

Yes, same as citizens



Q60.1 CITATION/COMMENT: Do migrant workers have the right to redress if the terms of their employment contract have been violated by their employer?

Citation _____

Comment _____

Q60.2 To what extent is this migrant right protection implemented by the judiciary or the labor agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Labor

Start of Block: Health

Category 15 Health

Q61 Does the national law guarantee access to health care services on an equal basis with citizens?

No

Yes



Q61.1 CITATION/COMMENT: Does the national law guarantee access to health care services on an equal basis with citizens?

Citation _____

Comment _____

Q61.2 To what extent is this migrant right protection implemented by the health agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q62 Does the national law deny access to health care services to some groups of migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

No

Yes



Q62.1 CITATION/COMMENT: Does the national law deny access to health care services to some groups of migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

Citation _____

Comment _____

Q62.2 To what extent is this migrant right protection implemented by the health agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q63 Does the national law guarantee access to public housing programs to migrants on an equal basis with citizens?

No

Yes



Q63.1 CITATION/COMMENT: Does the national law guarantee access to public housing programs to migrants on an equal basis with citizens?

Citation _____

Comment _____

Q63.2 To what extent is this migrant right protection implemented by the housing agency and/or public benefits agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q64 Does the national law deny access to public housing programs to some groups of migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

No

Yes



Q64.1 CITATION/COMMENT: Does the national law deny access to public housing programs to some groups of migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

Citation _____

Comment _____

Q64.2 To what extent is this migrant right protection implemented by the housing agency and/or public benefits agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Health

Start of Block: Education

Category 16 Education

Q65 Does the national law guarantee access to public adult educational institutions and services to migrants (such as degree-level course and vocational training) on an equal basis with citizens?

No

Yes



Q65.1 CITATION/COMMENT: Does the national law guarantee access to public adult educational institutions and services to migrants (such as degree-level course and vocational training) on an equal basis with citizens?

Citation _____

Comment _____

Q65.2 To what extent is this migrant right protection implemented by the education agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

Q66 Does the national law deny access to adult education institutions and services to migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

No

Yes



Q66.1 CITATION/COMMENT: Does the national law deny access to adult education institutions and services to migrants on the basis of status (such as economic, family, humanitarian, temporary or irregular migrants)?

Citation _____

Comment _____

Q66.2 To what extent is this migrant right protection implemented by the education agency?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Education

Start of Block: Equal Protection

Category 17 Equal Protection

Q67 Does the national law prohibit discrimination against migrants on the ground of migration status?

No

Yes



Q67.1 CITATION/COMMENT: Does the national law prohibit discrimination against migrants on the ground of migration status?

Citation: _____

Comment: _____

Q67.2 To what extent is this migrant right protection implemented by the judiciary and all levels of government?

Effectively never

Rarely

Sometimes

Usually

Effectively always

End of Block: Equal Protection

Start of Block: End

Page Break

You have now completed the survey. Please select the "next" arrow to submit your responses.

End of Block: End

