

## Covid-19 and (Im)Mobility in the Americas

### CHILE

October - December 2020

1. **Poverty Rate (defined by unsatisfied basic needs):** 30% of the total population.<sup>1</sup>

2. **Migration Facts**<sup>2</sup>

- a. Emigration: More than 650,000 Chileans, or 3.5% of the population, reside abroad, mainly in Argentina (33.3%), the US (17.2%) and Spain (8.7%).
- b. Immigration: About 1,500,000 immigrants, representing 8% of the total population, live in Chile. Principal countries of origin are Venezuela (450,000 people), Haiti (200,000 people) and Peru (190,000 people).
- c. Refugees: 15,000 refugees and asylum seekers reside in Chile<sup>3</sup>

3. **State Measures**

- The closure of borders is maintained through military and police surveillance. [The Ministry of the Interior pushes to reinforce control.](#)
- October began with the advancement of the controversial Immigration Law proposed by the government. The Upper House of the Senate sent to its third constitutional process the bill that involves rapid expulsions for irregular migrants, even more so for those who are found to have “repeated violations of the law,” as well as return trips from the border. The opposition's proposal for a 90-day regularization process once the regulations come into force and the possibility of a “work tourism visa” were left out. [According to the government, this proposal increased unregulated immigration.](#)
- Just one day after the law was approved in the upper house of the Senate, the Undersecretary of the Interior Juan Francisco Galli visited Tarapacá and Colchane, together with the Inspector General of Carabineros, Ricardo Yáñez, and the Director of consular affairs of the Foreign Ministry, Raúl Sanhueza. The main objective was to [coordinate the reinforcement and control of the border](#) due to the increase in unregulated crossings (the police estimate [that at least 5,000 people have entered the country irregularly](#) between January and September 2020). Galli announces that irregular migrants will be deported.

<sup>1</sup> <https://www.bancomundial.org/es/country/chile/overview>

<sup>2</sup> <https://datosmacro.expansion.com/paises/chile>

<https://migrantesyrefugiadosven.org/>

<https://www.infobae.com/americas/agencias/2020/04/23/haitianos-puestos-en-cuarentena-en-chile-tras-d-enuncias-de-racismo/>

<sup>3</sup> <https://www.acnur.org/chile.html>

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- Days later (in the second week of October), the [Chamber of Deputies rejected ten of the Senate amendments](#), among which the following stand out: the impossibility of returning or deporting people whose life and integrity are in danger in their country of origin; ineligibility of people with convictions or legal proceedings in Chile or other countries; inadmissibility of foreigners who make statements, perform acts, or carry out elements that constitute indications that they are preparing to commit a crime or offense; temporary residence permits instead of permanent ones for victims of trafficking and trafficking or gender-based violence; expiration of temporary residence as grounds for expulsion; among others.
- By the end of October, the authorities of the Tamarugal province, Tarapacá region, were [working to open a quarantine facility in Huara](#), due to the complex migratory situation that area is going through.
- [The Councilors of Huara are opposed to the communal stadium being used as a shelter for migrants](#). Meanwhile, The Governor of Tamarugal insists that this space can be used while the migrants are transferred to appropriate quarantine facilities.
- By the end of November and after being sent to a mixed commission in October after a series of differences between the Chamber and the Senate, [the immigration reform completed its fourth constitutional process](#). The ten questioned amendments will be voted one by one so as not to reject the entire report. Among the agreements reached, the legislators approved the creation of a visa to help women victims of trafficking and the elimination of the documentation that Eunacom requested from foreign doctors after five years of working in public institutions.
- On December 3, [the Senate approved with 38 votes in favor and two against, the report of the mixed commission of the new Immigration Law](#). It creates a National Migration Service, and it allows the regularization of migrants who have entered the country regularly before the pandemic (before March 18, 2020) and who do not have a criminal record, the others must leave the country within a period of 6 months.
- Deputies from the Frente Amplio (left) [requested a constitutionality review](#) of 14 articles of the new immigration law before the Constitutional Court, thus delaying its entry into force. Given this, the Independent Democratic Union (right), advised by the Jaime Guzmán Foundation, presented a similar requirement to reverse the challenges of the Frente Amplio.
- State authorities, through the media, have repeatedly insisted in the last quarter of 2020 that there has been [an increase in irregular migration](#), along with COVID-19 infections and [criminality](#). Likewise, they have been categorical in that those who enter irregularly [face a trial and subsequent expulsion](#). This message is mainly addressed to Venezuelans and Bolivians.

#### **4. Migrant population alert**

*Unregulated Immigrants, Mainly of Venezuelan Origin*

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- Families cross the border into Chile [using a dangerous route that takes them through the highlands](#) and the desert in the Tarapacá region in search of better living conditions. Many are [paying coyotes](#).
- A 45-year-old Venezuelan woman [died while trying to cross the Chilean border](#) near Colchane. Javier García, mayor of Colchane, criticized public policies on migration.
- On the border with Peru [there remain antipersonnel mines](#), a remnant of Pinochet's security policies, which represent an additional danger for irregular migrants, according to the regional prosecutor of Arica and Parinacota.
- Unregulated migrants roam and sleep in the open in the streets of the cities of Huará and Tocopilla, on the northern border.
- [Quarantine facilities in the north of the country are at maximum capacity](#) due to the high influx of migrants through the non-authorized border crossings in the area. The Regional Health Minister of Tarapacá, Manuel Fernández, indicated that 78% of the available beds are used by irregular migrants who have arrived in the country.
- Due to the closure of borders, [the Prosecutor's Office detected a 53% increase in migrant smuggling](#). In 2019, 46 people were charged with this crime; While, between January and August 2020, there were 182, 94% are of Venezuelan nationality.
- Regarding [“clandestine” entries](#), in 2019, 1,783 people entered through unauthorized passages; while, between January and September 2020, there were 1,241, of which 56% are Venezuelan nationals; 10% are Dominicans, 9% Colombians, and 22% Bolivians, Cubans, Peruvians, and Haitians.
- Several people of Venezuelan origin have been charged with [migrant smuggling](#). One facilitated entry for [a Venezuelan couple with a hearing impairment](#), charging each of them 200 USD.
- Venezuelan migrants are being criminalized by the State and by the civilian population (see case of anti-migrant cacerolazo in Iquique). Likewise, human rights organizations that seek to provide support in the face of the migration crisis at the border were criminalized, [the Comptroller's Office opened a disciplinary process against NHRIs for the failed entry of Venezuelan migrants](#) in very precarious conditions as refugees from Pisiga-Bolivia.
- Toward the end of October, more than 300 migrants arrived at the Plaza de Huará, waiting to be [transferred to quarantine facilities in Iquique](#). The health minister Manuel Fernández maintains that the migrant population is mainly Venezuelan.
- Toward the end of October, according to figures from the Regional Minister, around 1,700 migrants are in isolation, of these 1,400 are in transitory sanitary periods and about 300 in quarantine residences. Venezuelans voluntarily surrender to the immigration authorities in order to receive shelter, food and medical attention during the mandatory quarantine that the government requires, then they continue to travel to [main cities such as Santiago](#).
- In the month of December, Venezuelan migrants in Puerto Montt have resorted to [asking for help in the streets](#). Authorities insist they will be expelled.

*Irregular migrants; Bolivians, Peruvians, Haitians, Cubans*

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- Along with Venezuelan migrants, in November the irregular entry of a significant number of Bolivians has been registered. In response, the Chilean government sends a warning message, arguing that this act means facing trial and subsequent expulsion.
- [Cubans stranded in Chile denounced mistreatment and expulsions](#) in a migrant shelter in the city of Santiago, in addition to the facility's poor conditions.

#### *Deportations and Returns*

- Chile [expelled 56 foreigners](#) from Colombia, Ecuador and the Dominican Republic with irregular immigration status. Most of the people who were part of the operation had been convicted of crimes such as drug trafficking. The authorities have formalized the expulsion of 1,122 people between January and mid-October 2020.
- At the beginning of December, the Interior Minister, Rodrigo Delgado, reported that 143 foreigners were expelled from the country for committing crimes, adding that they will contract 15 charter flights for future expulsions.

#### *Girls, Boys, and Adolescent Migrants*

- Data from a study carried out by the Pontifical Catholic University with the Colunga Foundation, World Vision, and Unicef, show that [the number of children and adolescents has increased greatly in recent years](#). Children arrive from Bolivia, Peru, Argentina but also from Ecuador, Venezuela, the Dominican Republic and Haiti. Their school enrollment has complications, especially for Haitians because of the language. 21.3% do not have access to health, compared to 1% of national children and adolescents, which makes them even more vulnerable in the midst of the pandemic. Haitian and Bolivian children state that they are repeatedly abused or discriminated against when seeking services.
- Authorities and migrant organizations express concern about [children and adolescents who ask for money on the streets](#) and routes of La Serena and Coquimbo.

## **5. Social responses**

- *Migrant Resistance*
  - o Despite the reinforcement of borders and the insistent state discourse of expulsion of irregular migrants, Venezuelan migrants, and also Bolivians, they continue to arrive in the country by irregular means. Many arrive on foot.
  - o In October, in [flag waiving demonstration in the Plaza de Armas in Santiago](#), a dozen people of different nationalities gathered to denounce the complete neglect in which they have been since the beginning of the health crisis.

- *Solidarity Networks*

- o Given the insistence of the government to associate the COVID-19 figures and the increase in irregular entry from the northern border, the migrant leader of the Open Assembly of Migrants and Pro Migrants of Tarapacá - AMPRO, [calls the association between migration and contagion “unscrupulous.”](#) and considers it a political strategy to distract citizens from crucial issues such as immigration policy. She indicated that the migrant community is not responsible for long-neglected health policies in the area.
- o Jesuit Migrant Service - SJM [created a network in northern areas of the country](#) to deliver humanitarian aid.
- o Faced with declarations of expulsion of migrants accused of crimes committed, the Minister of the Interior, the board of the Jesuit Migrant Service, [expressed its concern](#) at what it sees as prejudice in comments from the Executive that transmit a message associating migration with criminality.
- o The National Coordinator of Immigrants in Chile emphasized that [the resident foreign population has not been able to access any state aid](#), due to the difficulties in regularizing their visas.
- o Ante el proyecto de ley, [distintas organizaciones de migrantes se pronuncian](#). Cuestionan además el hecho de no poder ser parte del proceso constituyente del 25 de octubre.
- o As the possible immigration bill proceeds, [different migrant organizations speak out](#). They also question why they were not able to be part of the constitutional process of October 25th.
- o During the second week of November, various organizations that make up the Coordination Table for Refugees in Chile [arrived at the Palacio de La Moneda to deliver a letter to the Minister of the Interior](#), Rodrigo Delgado, in which they denounced a series of rights violations of refugees and asylum seekers.
- o Already in the month of December and before the approval of the new immigration law, the National Coordinator of Immigrants and the Migrant Action Movement [expressed their concern that said law “reinforces the inequalities that immigrants and refugees experience in Chile.”](#)
- o Social organizations and opposition parliamentarians [presented a request to the Constitutional Court for the Migration and Foreigners Law](#). They accuse that several articles of the law violate fundamental rights and discriminate against migrants.
- o In two different media outlets, interviews were published with the Anti-Drug Chief of the Investigative Police (PDI), Harold Mackay, and the director of the same police agency, Héctor Espinosa, in which they linked migration to drug trafficking. In this regard, representatives of [the National Coordinator of Immigrants and the Migrant Action Movement \(MAM\)](#),

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[express their concern about the media attacks](#) that authorities inflict on migrant communities.

- *Xenophobia*

- o Citizens, especially older adults, took part in a cacerolazo in Iquique to call for greater control over the entry of foreigners. The event enjoyed widespread media coverage.
- o The Aymara National Councilor, [Angelino Huanca Maita warns, from the city of General Lagos](#) in the Arica and Parinacota Region, that: “If illegal immigrants continue to arrive, the ranchers of the General Lagos commune are going to hold a demonstration and confront them, because we’re tired.”

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