



Migratory Profile

CHILE

A. Executive Summary

Over the last 25 years Chile has experienced economic growth and stability and a significant poverty reduction compared to the Latin American average.ⁱ This has made it an attractive destination for immigration in South America.ⁱⁱ Venezuela, Peru, Haiti, Colombia, and Bolivia are the leading countries of origin.ⁱⁱⁱ In terms of emigration, which is not exceptionally high in general terms,^{iv} the leading destination countries are Argentina, the United States, Spain, Australia, and Canada.^v

Chile has also become a country of refuge for thousands of people fleeing their homes due to political instability and violence.^{vi} People seeking refuge in Chile mainly come from Colombia, Peru, Syria, Turkey, and Ecuador.^{vii} Likewise, since 2014, many Venezuelans began to flee because of the humanitarian crisis experienced in their country,^{viii} reaching, in 2022, the number of 498,452 people who requested international protection in Chile.^{ix} In addition to this, it should be noted that since 2021 there has been an increase in irregular entries of Venezuelans because of the COVID-19 pandemic and the closure of borders.^x

Chile is one of the most industrialised countries in Latin America, and some of its main sectors of activity include mining, being the largest copper producer in the world^{xi}, manufactured goods and agriculture.^{xii}

In 2021, Chile's GDP amounted to US\$ 317,058,508.65,^{xiii} experiencing an annual growth rate of 11.7%^{xiv}, its foreign direct investment in 2020 reached 3.4% of the GDP and its inflation rate of about 7.8% in 2022^{xv} driven by strong demand pressures, increases in raw material prices, supply disruptions and the depreciation of the peso.^{xvi}

B. Country Profile

I. Basic Information

The Republic of Chile is located in South America and is bordered to the north by Peru, to the east by Bolivia and Argentina, and to the West by the Pacific Ocean.^{xvii} The country has a total area of 756.945 sq. km. divided into 15 regions,^{xviii} and is inhabited by 19,458,000 people.^{xix}

The country has 10 different indigenous groups in its territory, corresponding to 4.58% of the population. The Mapuche nation is the one with the largest population, followed by the Aymara, Diaguita, Atacameño and Quechua.^{xx} The official language is Spanish, but several

other languages such as Aymara, Quechua, Mapudungun and Pascuense, are also still spoken.^{xxi}

The predominant religion in Chile is Catholicism, which represents 70% of its population. There is also 15% of evangelicals and 1% of Jehovah's Witnesses.^{xxii}

II. International and Internal Migrants

In 2020, 1,645,015 immigrants were registered in Chile, mainly from Venezuela (31.83%), Peru (14.61%), Haiti (14.40%), Colombia (10.55%), and Bolivia (7.83%).^{xxiii} Male (50.46%) is slightly higher than female immigration (49.54%)^{xxiv} and the majority age group is 30-34 years old (18%).^{xxv}

While Venezuelan migration is more recent, Peruvian immigration to Chile has a long history, representing 20.5% of total immigration in the 2002 census.^{xxvi} This migratory movement is due to the economic growth and stability that Chile has experienced in the last 25 years compared to the Latin American average, besides the reduction of poverty, which has made it an attractive destination in South America for those in search of better living conditions.^{xxvii} Likewise, economic stagnation, political instability, social deterioration, and increasing unemployment in Venezuela, Colombia, Haiti, and Argentina, are driving factors for the migration of nationals from these countries to Chile.^{xxviii xxix xxx}

The migrant population in Chile is mainly employed in wholesale/retail trade, restaurants and hotels, and financial and insurance establishments.^{xxxi} It should also be noted that the three regions with the highest percentage of foreign residents are the Metropolitan Region, which accounts for 63.1%, the Antofagasta Region (7.1%), and Valparaíso (6.4%).^{xxxii}

Despite the increase of the migrant population in Chile, the country had an old migration legislation (Decree Law No. 1.094) with no explicit policy about the integration of immigrants.^{xxxiii xxxiv} In this sense, the main problems immigrants face in Chile are low wages, irregular employment, housing, and overcrowding. They also experience difficulties accessing the health system and education.^{xxxv xxxvi xxxvii}

In this context characterised by outdated migratory legislation and a lack of an integration policy, there has been also an increase in the number of tourist overstayers between 2016-2018^{xxxviii}. In 2019, to face this phenomenon, the government implemented measures such as the requirement of consular visas for tourism and residency for Venezuelan and Haitian nationals. It eliminated the temporary visa for work purposes.^{xxxix} This provoked a decline in tourist overstayers which became more evident in 2020 and 2021 due to the pandemic and border closures.^{xl}

One of the irregular routes most used by Venezuelans follows this scheme: Venezuela-Colombia-Ecuador-Peru. From Peru they cross to Desaguadero in Bolivia; then, they reach Pisiga, a town on the Chilean border.^{xli} Throughout this journey, people are vulnerable to assault, abuse, and child trafficking^{xlii}. They also must face the extreme conditions and temperatures of the altiplano resulting, in 2021, in the death of 27 people because of hypothermia, dehydration, and cardiorespiratory complications.

To combat irregular immigration, promote legal and orderly entry, and address new social demands, in 2021, Chile enacted a New Law on Migration and Foreigners.^{xliii}

III. Emigration and Skilled Migration

Chile registered in 2020 a total of 643,800 emigrants (3.4% of the total population), of which 52.4% were women. The primary destinations were Argentina (33.4%), the United States (13.9%), Spain (9.6%), Australia (5.3%), and Canada (4.5%).^{xliiv} Although emigration is not especially high in general terms, the latest census recorded a significant increase of the Chilean population in the United States and Spain and places like Sweden, Canada and Australia.^{xlv} In the US, Chilean migrants are primarily scientific professionals, service workers, salespeople, and senior officials. The most common sectors in which they work are real estate activities and education, followed by the manufacturing industry.^{xlvi} In the case of Spain, the majority are dedicated to restoration and protection services and elementary occupations, the sectors with the most representation of catering and commerce.^{xlvii} In general, Chilean emigrants' rate of return, although always difficult to calculate, has been rather low and relatively unsuccessful.^{xlviii}

IV. Forced Migrants (internally displaced, asylum seekers and refugees, climate displaced people)

In 2021, 2065 persons with refugee status and 10,159 asylum seekers were registered in Chile.^{xlix} They mainly came from Colombia (75.66%), Peru (6.93%), Syria (6.93%), Turkey (1.66%), and Ecuador (1.66%). 50.87% were women, and 49.13% were men.¹ By 2022, 2086 persons with refugee status and 10,757 asylum seekers will be registered.^{li}

The displacement of Colombians to Chile is related to changes in migration and refugee policies in the United States and the reduction of international programmes for the accompaniment and protection of leaders and defenders of human rights and communities.^{lii} Likewise, agreements on migration and refugee policies implemented by MERCOSUR have played an important role in changing the dynamics of displacement and migration.^{liii} Also, the internal instability and violence in their country are the main factors that motivate Colombians to seek asylum in Chile.^{liv}

Furthermore, Chile signed the Framework Agreement on Resettlement in 1999.^{lv} This programme is intended to provide the possibility of the resettlement of people coming from third countries where they were already refugees.^{lvi} Since 1999 Chile has resettled 480 refugees, including people from Colombia, Palestine, and the former Yugoslavia.^{lvii} In 2016 Chile began resettling Syrian refugees from Lebanon.^{lviii}

The criteria used for the selection of persons eligible for resettlement in Chile are the need for legal or physical protection; being a victim of violence and torture requiring special medical attention; being a woman who faces physical and psychological threats without the protection of her family or community, and being a refugee with no prospect of local integration in the first country of asylum.^{lix}

Chile has also enacted Law No. 20.430, which establishes provisions for the protection of refugees and recognises the right of refugees^{lx} not to be rejected at the border or returned to

the country where they are in danger. It also protects the right to remain and move freely in the country, access public health and education, work legally, practice their religion freely, and have family reunification.^{lxi}

However, refugees in Chile have faced numerous difficulties due to the significant number of arrivals in the country and the lack of integration policies.^{lxii} In Iquique, the growing influx of Venezuelans has led to clashes with law enforcement and the host community.^{lxiii}

In this regard, in 2022, 498,452 Venezuelans in need of international protection have been registered in Chile.^{lxiv} It should be noted that since 2021 there has been an increase in the number of irregular entries of Venezuelans^{lxv} because of the pandemic and the closure of land borders.^{lxvi} The main route these immigrants follow is through Coltrane, located on the border with Bolivia in the Tarapacá region.^{lxvii} 73% of the refugees who used informal entrances to enter Chile are in an irregular situation, and 13% of Venezuelans who are in an irregular situation live below the poverty line, often work in the informal sector, earn less than the minimum wage and have limited access to health care and education.^{lxviii}

Finally, 2,486 internal displacements caused by earthquakes, dry mass movements, floods, storms, and forest fires were registered in Chile in 2021.^{lxix}

V. Victims of Human Trafficking

Chile is ranked Tier 1 in the 2022 Trafficking in Person Report meeting all the minimum standards to face trafficking activities during and after the COVID-19 pandemic.^{lxx} The country has amended the penal code for trafficking offences, increased the reintegration and hiring of victims, and granted them residence permits.^{lxxi} It is important to say that these advances have a significant impact on women and children.^{lxxii} However, despite these efforts, as of July 2022, 72 cases of human trafficking had been reported.^{lxxiii}

The victims are national and of foreign origin, primarily Latin American and Asian women forced to work in agriculture, construction, mining, and domestic service, as well as in illegal activities such as drug dealing. In contrast, children are recruited in child protection centres for sexual exploitation.^{lxxiv} Chile has improved the monitoring and recognition of victims. In 2021, all adult victims were regional foreign citizens, especially from Haiti, Colombia, Venezuela, and Bolivia. The Brigada Investigadora the Trata de Personas (Bitrap), created in 2012, is the specialised police unit in charge of investigating human trafficking and smuggling in Chile.^{lxxv}

Nevertheless, although its legal framework is severe (with sentences of between 5 to 20 years for crimes against adults and between 10 to 20 when the victims are minors), the sentences are hardly fully fulfilled.^{lxxvi} Likewise, effectively completed judicial processes have been declining.^{lxxvii}

Furthermore, Chilean institutions failed to report victims' gender.^{lxxviii} It also occurred with the correct specification of the number of victimisers who sexually exploited people compared to those who trafficked forced workers.^{lxxix} In addition, the country could not report how many child victims were identified in 2021, as it did in the two preceding reports (2 in 2020 and 2 in 2019).^{lxxx}

VI. National Legal Framework

Chile passed in 2021 from the Immigration Law enshrined in Decree Law 1094 of 1975 to a Migration and Immigration Law (Law No. 21325), through which the State promotes the rights of foreigners and regulates their duties and obligations.^{lxxxix} This law creates the National Migration Service and its territorial directorates.^{lxxxii} Through this office, migration analysis is centralised, while attention, orientation, and inclusion are decentralised.^{lxxxiii} In addition, coordination and communication between the Ministry of the Interior and Security, civil society, the municipalities and regional governments are facilitated.^{lxxxiv}

In 2010 the state approved the National Law N° 20430 that establishes guarantees and obligations of refugees and asylum seekers in Chile.^{lxxxv} Article 411-quarter of the penal code criminalises sex trafficking and labour trafficking prescribing penalties ranging from five years and one day to 20 years' imprisonment and a fine for offenses involving an adult victim and 10 years and one day to 20 years' imprisonment and a fine for those involving a child.^{lxxxvi}

Chile is a signatory of the 1951 Refugee Statute (also known as the Geneva Convention) and the 1967 Protocol that eliminated time and space limitations for refugee consideration.^{lxxxvii} In addition, it is part of the Ibero-American Forum on Migration and Development (FIBEMYD), an integral part of the Ibero-American Conference.^{lxxxviii} This forum is a space for exchange, consensus, and the proposal of standard measures in migration management.^{lxxxix} The working topics are the human rights of migrants; migration and development; the contributions of migration; labour mobility; the flow of remittances; joint development; and the inclusion of migrants in labour markets.^{xc}

VII. Main Actors

The State

The Ministry of Foreign Affairs develops the migration policy following International Law and the human rights of migrants.^{xcii} It provides assistance and consular protection to Chileans and foreigners who require it inside and abroad.^{xciii} It also strengthens the bonding and associativity of Chilean expatriates.^{xciiii}

The General Directorate of Consular Affairs, Immigration and Chileans Abroad (and its Directorate for the Chilean Community Abroad.^{xciv}) studies, coordinates, and directs consular offices and develops efficient management for expatriates.^{xcv}

The Directorate of State Borders and Limits preserves and strengthens territorial integrity, while provides professional advice to the government regarding borders and limits, integration, and cross-border interconnection.^{xcvi}

Moreover, in the Ministry of the Interior and Security, there is the National Migration Service that seeks to comply with immigration legislation^{xcvii}, it analyses the applications for transitory and residential permanence and for naturalisation,^{xcviii} and it also promotes the integration and cohesion of the migrant population.^{xcix} The Undersecretary of the Interior published the Migration Policy Proposal 2021-2025,^c establishing the guidelines on residence permits, inclusion, interculturality and non-discrimination, and the pillars of the migration

policy: ordered, safe, regular, responsible, and attentive to disability.^{ci} Finally, the Ministry of the Interior and Security is responsible for the Border Detachments (Chilean Carabineros) and for the Sub-directorate of Intelligence, Organized Crime, and Immigration Security, which controls 99% of people who enter or leave Chile.^{cii} Other relevant agencies are the National Immigration Headquarters and International Police.^{ciii}

International organisations

UNHCR works to provide protection and durable solutions for around 10,000 refugees and asylum seekers and some 450,000 Venezuelan migrants.^{civ} The agency works hand in hand with state institutions, civil society organisations, academia, and the private sector.^{cv} It provides legal guidance, psychosocial assistance, risk and needs monitoring, protection, and integration in four cities and the border with Bolivia and Peru.^{cvi} Likewise, it communicates with media and community entities to promote welcoming environments.^{cvi}

IOM, present in Chile since 1954, promotes humane and orderly migration.^{cviii} It ensures coherence with international cooperation in migration matters and helps find practical solutions for assistance to refugees, IDPs and uprooted people.^{cix} Finally, it promotes international law on migration, the political debate, and the protection of the rights of migrants, as well as a solid approach to health, gender, economic, social, and cultural development, and freedom of movement.^{cx}

Moreover, the Union of South American Nations cooperates comprehensively on migration issues based on unrestricted respect for human and labour rights for migrant regularisation and the harmonisation of the public policy of its members.^{cx} The Latin American and Caribbean Economic Systems and the Community of Latin American and Caribbean States develop a joint agenda for the convergence of issues of regional interest that aims at a holistic migration policy that seeks socioeconomic integration and cohesion of migrants.^{cxii}

The Latin American and Caribbean Demographic Centre, a division of the Economic Commission for Latin America and the Caribbean, works primarily on the sources of sociodemographic information from the HR perspectives.^{cxiii} Lastly, the Organization of American States adopted specific resolutions to protect asylum seekers, refugees, and stateless persons. In contrast, the Regional Conference on Migration protects the rights of migrants and promotes the orderly cross-border movement of people in a multilateral manner.^{cxiv}

NGOs and Other organisations

World Vision is an NGO which supports the educational inclusion of migrant and refugee children and adolescents. In the context of COVID-19, its work focused on providing tablets to children in Arica, Iquique, Antofagasta, Valparaíso, Santiago, and Concepción because many of them were in a situation of extreme vulnerability and without support networks.^{cxv}

The Human Rights Centre of Diego Portales University promotes the study of human rights and hosts a specialised clinic in public interest litigation and another on migration and refugee issues.^{cxvi} The Migrant and Refugee Clinic's main objective is to provide legal orientation and representation to migrants and refugees who come to it for help and, secondly, to develop strategies with a state-wide impact on migration and refugee issues.^{cxvii}

The Chilean Red Cross provides humanitarian assistance to citizens in transit or settled through the population mobility project, funded by UNHCR and the Federation of Red Cross and Red Crescent Societies.^{cxxviii cxxix} It provides them first aid, psychosocial support, medical assistance, referrals to other specialists, shelter kits, hygiene, and protection against the coronavirus.^{cxx} The organisation provides soup kitchens and food and clothing kits in some locations.^{cxxi} In addition, due to humanitarian crises, families may be temporarily separated. In this regard, the organisation has a Restoring Family Links (RFL) programme.^{cxxii}

The Catholic Church

The Chilean Episcopal Conference has a network of delegations for the pastoral care of human mobility that is very active in the work, analysis and claim of specific legal difficulties.^{cxxiii} Its voice has been picked up by the Plenary Assembly, repeatedly speaking out before different social events.^{cxxiv cxxv cxxvi}

Servicio Jesuita a Migrantes focuses on including migrants and refugees through social care, employment, and community programmes.^{cxxvii} It also supports migratory regularisation and refuge application through the accompaniment of their processes. In education, it has two programmes: migration and school and awareness-raising.^{cxxviii} They also provide Spanish courses for those who need them.^{cxxix}

Caritas Chile provides migrants and refugees with socio-cultural integration, clothing, food, shelter, job placement, spiritual assistance, documentation, and legal advice.^{cxxx} Along with 11 organisations, it created a working group focusing on the labour inclusion of migrants in 2022.^{cxxxi}

The Instituto Católico Chileno de Migración (INCAMI) provides advice to migrants and refugees for the regularisation of documents during their job search.^{cxxxii} It also supports and accompanies the pastoral migratory ministry.^{cxxxiii} Pastoral Migratoria also provides care centres and shelters, legal advice, and status regularisation services to migrants and refugees. Its priority is to accompany migrants in an irregular situations.^{cxxxiv}

The Scalabrini Foundation also provides shelter, legal, spiritual, and psychological counselling, education, training, and support in essential services.^{cxxxv} It has a multi-purpose centre that during the pandemic, assisted vulnerable families by providing food baskets, shelter kits, clothing, and Covid-19 protection kits. There are also Integrated Migrant Care Centres in Arica and Santiago.^{cxxxvi}

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