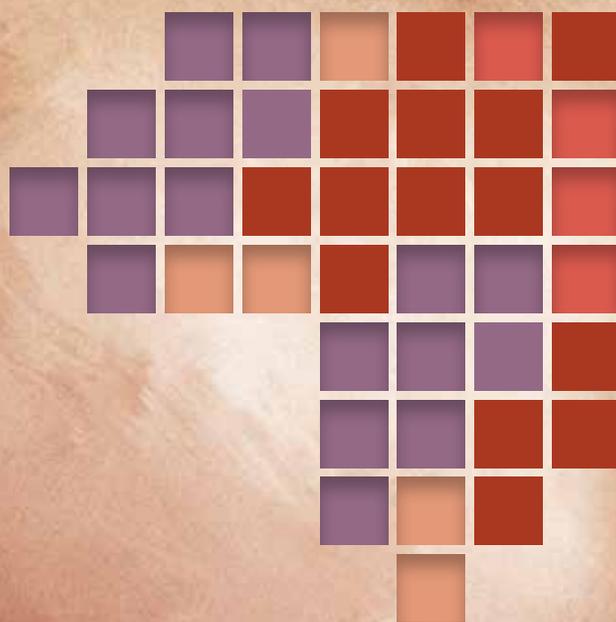


# MIGRANT WELL-BEING AND DEVELOPMENT: SOUTH AMERICA

WORKING PAPER FOR THE WORLD MIGRATION REPORT 2013



International Organization for Migration (IOM)

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# MIGRANT WELL-BEING AND DEVELOPMENT: SOUTH AMERICA

WORKING PAPER FOR THE WORLD MIGRATION REPORT 2013

By Ezequiel Texido and Elizabeth Warn



International Organization for Migration (IOM)

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# I. Introduction

Many countries in South America<sup>1</sup> have been founded on significant immigration into the countries of the region, a reality that defined countries and state-building processes into the twentieth century. Migratory movements over the past decades have been more limited in scale, and principally intraregional in nature. The well-being of migrants is part of a political discourse regarding the human rights of migrants, and the notion that regular migrants should have the same rights, on an equal basis with nationals, when it comes to the fulfillment of basic needs, employment and career satisfaction, access to education and health-care services, relations within communities of residence, and social relations and subjective assessments of happiness. In this regard, there are few studies that specifically assess the conditions of migrants vis-à-vis native-born populations compared with other regions of the world, in particular in terms of field research. In addition, data regarding foreign-born individuals are scarce, and are normally taken from census data, and at times from household surveys, both sources which have their limitations.

It is important to highlight the impact that regional integration processes within the Mercado Común del Sur (MERCOSUR,<sup>2</sup> Common Market of the South) and the Community of Andean Nations (CAN)<sup>3</sup> have had on the public policies of the countries within these blocks. The well-being discourse has largely been framed as part of the migrant's mobility within subregional free movement regimes (CAN/MERCOSUR), where nationals of the respective blocks have the right to reside on the same basis as nationals of these countries. The smaller and less significant flows of extraregional migration do not feature prominently in the literature.

The discourse regarding well-being has principally been framed in relation to the political objectives of integration within the region. As outlined in the 2011 Brasilia Declaration<sup>4</sup> of the regional consultative process on migration of the South American Conference on Migration (CSM), the objective of States within the region is to consolidate the identity and building of the South American citizenship, as enshrined in the UNASUR Constitutive Treaty. This is done through inclusive public policies and the adoption of initiatives towards cooperation and harmonization of migration policies with a comprehensive approach, ensuring a greater respect for human rights in particular in the context of labour rights. In this regard, migrant well-being is relevant to policymakers in as far as the countries of the CSM recognize the "significant contribution of migrant persons to . . . the development of receiving countries, as well as the positive effects of the migration dynamics upon the welfare and development of countries of origin" (OAS, 2011b).

Discourse regarding the well-being of migrants has also been framed in relation to South Americans who have migrated outside the region. While the declarations of the CSM are not politically binding, countries of the CSM have strongly condemned migration policies (especially outside South America) that violate the fundamental rights of migrants, limit their access to education and health care, and encourage the adoption of racist, xenophobic and discriminatory attitudes. In this way, migrants' well-being of forms part of foreign policy discourse predominately vis-à-vis South American countries and the United States of America/European Union.

Despite the rhetoric within the region, and the need to fully enable migrants to enjoy their rights and ensure their well-being, gaps exist between discourse and the implementation of legislative provisions. For example, while there is an increasing trend towards regularization of migratory status within the region, the irregular status of many prevents their basic rights being upheld. The integration of migrants into the societies of the destination countries within the region has been shown to ensure that migrants contribute to the development of their communities

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1 The paper does not include Suriname, French Guyana or Guyana given their different cultural and linguistic context as compared with the rest of South America.

2 MERCOSUR includes Argentina, Brazil, Paraguay, Uruguay and, as of mid-2012, Venezuela.

3 CAN includes Bolivia, Ecuador, Colombia and Peru.

4 Product of the XI South American Conference on Migration.

and countries of origin within the region; yet, to date, most countries lack specific integration policies, given that it is assumed that legal residence is sufficient basis.

The paper specifically focuses on the main countries of destination within the region; some of these are traditional recipients of the intra- and extraregional migration flows, such as Argentina and Venezuela, while others, such as Chile and Brazil, are more recent countries of destination. The paper draws on both qualitative and quantitative data from various information sources.

The paper is divided into the following sections: i) definition of migrant well-being and integration in the South American context; ii) overview of recent migration trends; iii) measures that have facilitated migrant well-being in South America; iv) dimensions of migrant well-being in South America; and v) conclusions and recommendations.

## **Definition of migrant well-being and integration in the South American context**

*Well-being* is defined as the state of the individual's life situation in terms of access to social, political and economic rights. This paper refers to *international migrants*, or individuals who reside in countries other than those in which they are born, commonly for more than a period of one year.

Certain elements of well-being such as income and fulfillment of basic needs, career satisfaction, and subjective assessments of happiness have not systematically been investigated in the region. The issue of the well-being of migrants is addressed within the region in certain contexts. For example, in the framework of the regularization of migratory status, the issue is discussed in terms of access to, and insertion within, the labour market,<sup>5</sup> access to justice, and access to public services including health and education. Most of the literature focuses on these elements. More studies were undertaken in the first half of the 2000s, in many cases before a number of large-scale regularizations (explained below). However, overall, the available literature related to migrant well-being is limited.

The concept of well-being is also clearly linked to the notion of migrant integration. However, few articles and no reports were identified in the undertaking of this paper that explicitly discuss the issue of migrant integration in South America; hence, there are few references to this concept, with none explicitly defining integration, or its objectives. The policies of most countries within the region frame integration within a libertarian perspective in which the best way to ensure access of migrants to services and rights is to respect the universality of rights, with few specific measures that acknowledge the need for a differentiated approach to ensure those rights. This differs from genuine multiculturalism, which implies that ensuring equal access to rights requires policies that recognize and encourage cultural differences.

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<sup>5</sup> According to ECLAC, there are few studies on the impact of immigrants on the labour markets in the Americas. The majority of these empirical studies are about the impact of immigrants on the labour markets of the United States.

## II. Overview of recent migration trends

Migration in South America needs to be understood within the context of economic change and urbanization within the region. Over the past decade, some countries have experienced rapid urbanization, leading to the establishment of large urban concentrations. Other countries remain largely rural. In countries such as Argentina, Chile and Brazil, most migrants are concentrated in large cities; for example, 70 per cent of migrants in Argentina are thought to reside in the Metropolitan Area of Buenos Aires (IOM, 2012a), 65 per cent of migrants in Chile reside in the Metropolitan Area of Santiago (IOM, 2012c) whereas the majority of migrants in Brazil live in São Paulo and, to a lesser extent, Rio de Janeiro and Paraná (IOM, 2009). In Bolivia, migrants are also concentrated in central cities including (Santa Cruz, La Paz and Cochabamba), characterized by their higher levels of economic and social development. In Ecuador, migrants are mainly concentrated (57%) in the Sierra region (predominately the province of Pichincha in Quito) (IOM, 2012b).

Migration in South America consists of both extraregional and intraregional flows. Most emigrants from South America seek to enter the United States or Europe. Europe is the main destination for migrants from Argentina, Bolivia, Brazil, Colombia, Ecuador and Peru. Within Europe, Spain is without doubt the principal European destination country, receiving almost 80 per cent of migrants from the region. Other important destination countries in Europe are Italy, Portugal and the United Kingdom. Conversely, as a result of the sustained economic and financial crisis, a reduction in the number of migrants living in key countries of destination such as Spain could be traced for the first time in years. According to Spain's Instituto Nacional de Estadística (INE) figures for 2011, a large part of those returning to Latin America are foreigners with legal residence in Spain, from countries such as Argentina, Bolivia, Brazil, Colombia, Ecuador and Peru.

However, economic changes have contributed an increasing propensity for countries to be seen as destination countries for migrants within South America. Recent economic growth in countries including Argentina, Brazil and Uruguay has created employment opportunities for migrants within the region. As a result of accelerated growth for over more than a decade, Chile has become a new country of destination for migrants from the region, mainly those coming from Andean countries. Nevertheless, migration within the region is still limited in terms of percentage of foreigners per country. For example, the most recent census in Chile (2002) showed that foreign-born comprised 1.22 per cent of the population (about 184,400 migrants). By 2009, the Departamento de Extranjería y Migración estimated the foreign-born population exceeded 2 per cent of the population (about 352,300 migrants) (MPI, 2012). This number is still lower compared with the stock of migrants living in other countries in the region, such as the more than 1 million migrants from Latin America residing in Argentina (*ibid.*).

The discourse around well-being has also been framed within the context of labour mobility, and particularly mobility within regional blocks. It is important to note that South America has a relatively high level of labour migration compared with North America (SICREMI, 2011:9). Labour migrants make up the majority of intraregional migration in South America, with the exception of some Colombian migrants to Ecuador and Venezuela who were forced to leave the country due to violence as well as internal security problems linked to drug trafficking (IOM, 2012d).

Most countries within the region are both countries of origin and destination. Argentina and Venezuela continue to be the only countries of the region in which immigration is higher than emigration. Argentina is the country that attracts the most significant amount of immigration from within the region. Brazil remains the main recipient of migration from outside the continent, such as those from Italy, Japan, Portugal, Spain, the United Kingdom and the United States. Within the region, there are also strong migration corridors, the most significant between Paraguay and Argentina, Bolivia and Argentina, and Colombia and Venezuela. Other corridors of lesser importance are Peru-Argentina and Peru-Chile.

Irregular migration remains an issue of considerable concern, in particular within the context of flows from neighbouring South American countries. For example, an estimated minimum of 200,000 irregular migrants were in Brazil prior to the regularization programme in 2009 (IOM, 2012d). At the end of 2008, consular authorities in Chile estimated that in San Pablo alone there were 40,000 Paraguayan nationals, of whom 35,000 had an irregular status (ibid.). According to governmental sources in Chile, in 2005 an estimated 50,000 migrants were in an irregular situation, the majority of whom were of Peruvian nationality (ibid.). While recently in Ecuador it has been estimated that there are between 60,000 and 120,000 Peruvian nationals, the majority of whom are in an irregular situation.

## Measures that have facilitated migrant well-being in South America

Prior to examining the various dimensions of well-being within the region, key factors that have facilitated migrant well-being in South America will be analysed, mainly (a) migrant regularizations and measures adopted within regional integration processes to facilitate legal residency, and (b) national migration legislation reform.

### Migrant regularizations and measures to facilitate legal residency

A fundamental issue underlying migrant well-being within the region has been how to regularize the migration status of hundreds of thousands of migrants who previously irregularly resided within the region by creating mechanisms to ensure their legal status upon entry.

There has been a marked increase in the number and scale of migrant regularizations within the past 10 years, as a result of both multilateral and bilateral agreements. Regularizations have been undertaken in countries with large migrant populations, and in particular with large irregular flows from neighbouring countries. There have been various bilateral regularization agreements, such as those between Ecuador and Peru (2006–2008), Bolivia and Brazil (2005), Peru and Bolivia (2002), and Venezuela and Peru (2011). Regularizations have taken place in Argentina (2004–2012), Venezuela (2004), Ecuador (2006–2008), Chile (2007–2008), Paraguay (2008–2012) and Brazil (2009).

Measures adopted within the context of regional integration processes have also increased the possibility of legal entry and stay for migrants within the region. In the context of the MERCOSUR<sup>6</sup> Residency Agreement, nationals of State parties have the right to reside and work on the same basis as nationals of that country irrespective of their migration status, while within the CAN, the Decision 545: Andean Labor Migration Instrument establishes provisions that will progressively and gradually permit the unhampered movement and temporary residence of Andean nationals in the subregion as wage workers.

Such measures lead to an increase in regular migration within these blocks by creating common criteria for the entry and stay of nationals from participating countries. This thus helps to facilitate the integration of these nationals into the societies of destination by ensuring the same rights and obligations as the native-born or long-term legal residents.

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<sup>6</sup> As of February 2013, MERCOSUR was composed of Argentina, Brazil, Paraguay, Uruguay and Venezuela as full member-States, and Bolivia, Chile, Colombia, Ecuador and Peru as associated States.

## National migration legislation reform

While institutional strengthening within South America has been guided by regional standards, several countries have introduced changes to the domestic legislation on migration. Such changes have marked a point of departure from past regimes which focused on migration control, and in the main have moved towards measures that facilitate the entry and residence of citizens from within the region. Examples of these new migration laws include those in Argentina (2004) and Uruguay (2008), as well as the proposals for new legislation in Bolivia, Chile and Brazil, all of them under discussion by political parties or civil society. These new institutional and normative structures aim to strengthen the processes of social integration and of equality with nationals in terms of the exercise of rights and respect and protection of the human rights of migrants and their families.

## Dimensions of migrant well-being in South America

Dimensions of well-being have clearly been influenced by changing political and legal frameworks in the region which have permitted increased numbers of migrants to participate in the societies in which they live by virtue of their regular status. This section examines the various dimensions of migrant well-being, including the current situation of migrants as regards poverty and the fulfillment of basic needs; employment, career satisfaction, educational attainment and skill development opportunities as compared with the native-born population; access to education and educational attainment of migrant children; housing, health and access to health-care services; and finally, the level of migrant cultural, social and political integration and discrimination.

## Current situation of migrants as regards poverty, and the fulfillment of basic needs

It is important to underline that Latin America is a region with one of the widest levels of economic inequality; according to the United Nations Human Settlements Programme (UN-Habitat), the gap between the rich and the poor in much of Latin America is widening with the richest 20 per cent of the population on average earning 20 times more than the poorest 20 per cent (UN-Habitat, 2012). These figures mask significant diversity among countries in the region. While the most recent data relates to 2010, and hence is not fully comparable to data regarding migrants from five years ago, according to ECLAC, Argentina, along with Brazil and Venezuela, have medium to low levels of extreme poverty (of up to 15%), while low levels of extreme poverty (less than 6%) are experienced by Chile (and Uruguay) (ECLAC, 2010).

It is within the context of economic inequality between rich and poor within South America that the situation regarding migrant poverty can be understood. Poverty is a multifaceted concept, which manifests itself in different forms depending on the nature and extent of human deprivation. In absolute terms, poverty suggests insufficient or the total lack of basic necessities like food, housing and medical care. Generally speaking, migrants in Latin America experience greater levels of poverty than the native-born (ECLAC, 2008), due to delayed social mobility, and precarious social conditions including precarious jobs and meager salaries. In general, in the region it can be observed that the percentage of individuals with unsatisfied basic necessities in urban areas is less than for individuals in rural areas. In rural areas, the highest concentration of migrants with *necesidades básicas insatisfechas* (NBI) or unsatisfied basic needs can be found in Brazil (80%) (ECLAC, 2006).

Argentina is the principal country of destination in South America, followed by Chile and Brazil, which are more recent countries of destination. In Argentina, as of the mid-2000s, 24 per cent of the immigrant population lacked the basic necessities (ECLAC, 2006). This high percentage was strongly influenced by the living conditions of the Bolivian and Peruvian communities, who were subject to more precarious employment conditions. Given Argentina's economic growth over the past seven years, it is safe to suggest that this has generated employment, which may have helped increase the income of workers, including migrants, which, in turn, may have removed a certain percentage of such migrants from more extreme forms of poverty.

In Brazil and Chile, immigration is a more recent phenomenon, which developed in response to the improved economic conditions and subsequent employment opportunities for immigrants. In Chile, according to the National Household Survey, poverty affects a total of 15,000 migrants, representing 9.4 per cent of all individuals born abroad (CASEN, 2006). The level of poverty is, however, lower than for the native-born, 14 per cent of whom are affected. Venezuela is the country with least inequality in terms of poverty levels (UN-Habitat, 2012) and a traditional destination country within South America (the majority of immigrants in Venezuela are of Colombian origin). However, according to figures from 2005, immigrants experienced high levels of poverty; thus, the unsatisfied basic needs of this population reached 36 per cent (ECLAC, 2006).

In Uruguay, according to estimations from the César Vallejo Cultural Association and Immigrant House, 7 in 10 Peruvians who reside in Uruguay live in a situation of poverty. Nevertheless, as with other countries mentioned, these figures should be analysed in the context of a general downward trend of poverty. For example, in Uruguay, between 2009 and 2011, the poverty index decreased 2 percentage points, resulting in 12.6 per cent of households and 18.6 per cent of persons considered poor (*ibid.*).

### **Employment, career satisfaction, educational attainment and skill development opportunities as compared with the native-born population**

Data sources relating to immigrants are frequently weak or lacking, which is also the case in relation to education levels and labour market participation. While most countries in the region have labour market observatories, they are usually politically and institutionally weak, and lack data to monitor and analyse labour market trends (IOM, 2011), in particular those relevant to labour migration. The observatories that do exist do not desegregate data by nationality. Specific administrative registers, such as the Registry of Andean Labour Migrants, have yet to be fully functional. There appears to be little data and few studies undertaken within the region regarding the skills and qualifications of migrants versus native-born or analysis of the labour market outcomes of migrants.

As a consequence of the lack of data, and due to the differences between countries in the region, it is difficult to make generalizations regarding labour insertion or educational attainment of immigrants. It is suggested that the majority of migrants from the region are drawn to their places of employment through word of mouth, rather than actual employment opportunities, in the majority of cases finding employment upon arrival in the destination country. In addition, many migrants, particularly internal migrants, work in informal sectors.

### **Occupations and employment of migrants**

Within South America, labour migrants mainly originate from within the region, and tend to be engaged to a large extent in low-skilled employment such as in agriculture, construction, domestic work, and, to a lesser extent, are self-employed (IOM, 2012d). According to the studies undertaken in both 2003 and 2009, the majority (60.4% and 63%, respectively) of South American immigrants in Argentina were employed in construction, trade, domestic work, and the textile, clothing and footwear industries. In 2009, one third of migrant men were employed in the construction sector, while 4 in 10 women migrants were employed in domestic service (ILO, 2011b). Given the low-skilled nature of these occupations, it is safe to assume that such workers are frequently paid low salaries and work in precarious conditions. In Chile, studies have suggested that more than 60 per cent of immigrants are employed in services and trade; if the financial and industrial sector is included, this accounts for more than 80 per cent of those migrants in the labour market (ECLAC, 2008).

Migrants are commonly employed in those sectors with the highest level of irregular and precarious employment. Nevertheless, irregularity in the labour market is a common structural problem within Latin America as a whole and impacts both native- and foreign-born workers (ILO, 2011a). According to the International Labour Organization (ILO), at the end of the last decade, approximately 93 million people (50% of the population in Latin America) worked in informal employment, out of which 60 million were part of the informal economy and 23 million were

informally employed without any form of social protection (*ibid.*). Due to economic growth within South America, in particular in the past three years, some improvement has been witnessed, with formal employment within the region increasing by 2% between 2010 and 2011 (ILO/ECLAC, 2012). The increase of formal employment has been most significant within select countries of the region such as Chile (4.9%), Peru (3.9%) and Brazil (3.8%) (*ibid.*).

Domestic work is a sector with a particularly high prevalence of migrant workers and, by virtue of the sector, higher levels of irregularity. Overall, in Latin America, domestic workers make up 5.5 per cent of the urban workforce and 12 per cent of the female urban workforce (ILO, 2011b). According to Peruvian Vice Minister of Labour's presentation on the situation of Peruvian migrants, delivered during the VI Regional Andean Conference on Employment, the majority of Peruvian women migrants are employed in the domestic sector abroad; this equates to more than 70 per cent of Peruvian women in Argentina and Chile (Peru Vice Minister of Labour, May 2012). While data specifically on migrant domestic workers is lacking, the sector as a whole is subject to low levels of earnings and higher levels of poverty, limited social protection, few formal labour contracts and very low levels of membership in trade unions. For example, only 20 per cent of domestic workers are believed to have regular contracts compared with 58 per cent of the total urban workforce in Latin America (Weller, 2001).

### **Migrants' labour market participation**

Argentina has one of the most elaborate sources of data regarding labour market participation. In addition, as an outcome of its last large-scale migratory regularization in 2006, the number of legally employed migrants has increased. Data from 2006 shows that legal migrants participate in the labour market to a slightly higher degree than native-born; 88.6 per cent of migrant men and 61.9 per cent of migrant women were active in the labour market, compared with 81.2 per cent and 56.7 per cent of native-born (ILO, 2011a). While male migrants fare better than native-born in terms of unemployment and underemployment, migrant women face higher levels of unemployment than native-born (13.7% versus 11.8%) and of underemployment (18.6% versus 13.8%).<sup>7</sup> In Chile, 56.3 per cent of immigrants participate in the labour market, indicating this population's higher level of participation than native-born's (ECLAC, 2008). In both cases, higher labour force participation for immigrants than natives can be attributed to the fact that, as mentioned previously, most migration within the region is for labour purposes.

Despite the fact that it is suggested that most immigrants are employed in low-skilled sectors, what is not known is whether migrants are being deskilled or are taking up lower-skilled occupations, for example, as a result of a lack of recognition of their educational attainment, qualifications and competencies. Limited research suggests evidence of deskilling for certain nationalities in certain low-skilled sectors. For example, research undertaken by the Ecumenical Support Service for Immigrants and Refugees in Argentina found that 59 per cent of 180 women immigrants surveyed said they had studied at the secondary or tertiary level, but despite their relatively high level of education, 68 per cent reported that they were working as domestic employees, a sector that sustains a high demand for labour (INADI, 2012). Given the high demand for migrant workers, it is likely that migrants have fewer opportunities to improve their labour market status in the short and medium term. It is also likely that migrants face greater obstacles in terms of social mobility as compared with the native-born.

### **Regularization and formal participation in the labour market**

Regularizations within the region, beyond legalizing the status of migrants within countries of destination, have enabled greater formal participation of migrants in the labour market. Once their migration situation is regularized, such migrants have broadly the same employment rights as natives, including access to social security. However, overall, there is little data regarding the number of migrants working irregularly in countries of destination. According to the ILO, in Argentina, the level of regularization of migrants in the labour market has been higher than

<sup>7</sup> The report does highlight that these are new findings.

for the native-born. For example, between 2002 and 2010 the number of labour immigrants with employment registered in the private sector increased by 91 per cent, while for the native-born the increase was only 68 per cent (ILO, 2011a). Nevertheless, within the region, migrants tend to have a higher level of irregularity on the labour market in particular, given the need to first regularize their migratory status.

## Access to education and educational attainment of migrant children

In comparison with migrant education and employment issues, migrant children education has been the focus of some attention. Generally, migrant children have the same right to education as native children. For example, the Organization of American States (OAS), in its comparative research in 16 Latin American countries regarding the education of migrant children, found that migration laws within the region articulate the respect for the child migrants' right to education.

The Argentinian law and migration policy guarantees access to education for all, including migrant children who are irregularly residing in the territory. The same provisions exist in the Uruguayan migration law (Ley No. 18.250 Migración), which specifies that education "cannot be refused or limited due to the irregular situation of their parents". Nevertheless, even where provisions do exist, access to education in certain instances may be limited for bureaucratic reasons; recent protests in Chile by Andean Parliamentarians have lobbied against the practice of migrant children being excluded from schools due to their lower educational attainment.<sup>8</sup> There are also anecdotal accounts of migrant students who are able to attend school but face barriers in receiving their diplomas due to migration status or lack of documents.

However, despite such legislative measures, in many countries, migrant-specific programmes and a sufficient allocation of resources for implementation are often lacking. A study undertaken by the OAS in 2009<sup>9</sup> found that Argentina, Colombia, Ecuador and Venezuela have specific policies for the education of migrant children, while legislation of a number of countries makes no reference to migrant children (OAS, 2006). Although a number of countries in the region have specific programmes of assistance for children, many do not. Moreover, among countries that do, not all policies are based on associated legislation or come with associated financial support. Others are included within broader policies that implicitly include children. In Chile, there is an intercultural education programme in the Junta Nacional de Jardines Infantiles (JUNJI), which aims to strengthen and mainstream intercultural education for all children that are part of the programme.

## Housing, health and access to health-care services

### Urban and rural settings and housing

Latin America and the Caribbean is the most urbanized region in the world, with almost 80 per cent of its population currently living in cities. While the 1980s were dominated by rural-to-urban migration with 36.6 per cent of migrations, this movement has abated in the 1990s to 33.7 per cent. Migration from lesser developed to more prominent cities has gained in importance since but is still vastly understudied.

In 2010, more than 30 million Latin American and Caribbean citizens (5.2%) resided outside of their countries of origin, within the region as well as in other continents (UN-Habitat, 2012). The interregional migration in South America now involves more than 2 million people, most of which are concentrated in major urban areas of the destination countries. This increases their visibility and renders them more vulnerable to discrimination, xenophobia and stigmatization (Nicolao, 2011). As immigrants tend to occupy a lower economic status than natives, the former are found in more impoverished and socially disadvantaged areas, and are in greater concentration in slum areas

<sup>8</sup> See [www.rpp.com.pe/2012-08-15-denuncian-discriminacion-a-ninos-peruanos-en-colegios-de-chile-noticia\\_512132.html](http://www.rpp.com.pe/2012-08-15-denuncian-discriminacion-a-ninos-peruanos-en-colegios-de-chile-noticia_512132.html).

<sup>9</sup> Organization of American States, Mapeo de políticas públicas para el proyecto "Educación de niños y jóvenes migrantes" (2009).

than the native-born, with higher incidents of poor health and inadequate housing (Nicolao, 2011). Fewer studies on migrants residing in border areas have been undertaken.

In Argentina, the majority of migrants are said to be located in Buenos Aires. Some Argentinian newspaper reports suggest that almost half of those individuals living in the most impoverished settlements called “villas” in metropolitan Buenos Aires and Cordoba are migrants, suggesting that such migrants are likely to be more segregated and marginalized in slum areas than other socioeconomic groups. A study undertaken by ECLAC in 2010 regarding migration and health in border areas between Bolivia and Argentina found that the density and number of Bolivian nationals were lower when compared with urban migrants, with higher levels of mobility between Argentina and Bolivia. However, as with urban migrants, indicators showed high levels of basic needs unmet. A study undertaken in Chile shows that while 40 per cent of migrants own their own house, approximately 40 per cent rent, and 19 per cent have no rent agreement due to the fact that their housing situation is precarious. In addition to this, 4.5 per cent of the foreign-born population in Chile lives in overcrowded conditions.

### **Access to health and social security**

According to the Economic Commission for Latin America and the Caribbean (ECLAC), access to health and social security “defines the degree of protection and vulnerability of the immigrant population in each country” (ECLAC, 2006). However, information regarding social security coverage, which is often derived from population censuses, is frequently partial and refers solely to the conditions of access, without investigating the quality and coverage of the health and social security conditions, as well as other aspects that determine the real extent to which different demographic groups remain unprotected (ECLAC, 2010).

In terms of access to health, in most contexts, regular migrants in destination countries, by law, can access primary health care. The Argentinian legislation guarantees “access to the right of health, welfare or health care” (Article 8). For its part, the Uruguayan legislation in Article 9 clarifies that “an irregular migration status in no case will impede that the foreigner has free access to justice and to health facilities”. However, despite legal provisions, deficiencies are registered in terms of migrants’ access to health services, which are particularly affected by demographic, socioeconomic, material living standards and migration-related determinants.

South American countries have different types of health-care systems which often include a mix of private and public health systems. In Chile, research undertaken by the University of York, from data extracted from the CASEAN survey in 2006, found that immigrants, when compared with native-born, had lower rates of access to health provision (University of York, 2010), with greater numbers having no access to health provision at all. However, the study also noted that equity in health in general is a significant issue in Chile, despite significant improvements having been made in recent years. In addition, the study mentioned that no specific policies had been made in the last round of health reforms to protect and promote the health of immigrants.<sup>10</sup>

Economic barriers appear to be one of the predominant factors that impede migrants from being able to access health services. According to research undertaken by the UN Population Fund in relation to sexual and reproductive health of women migrants, it is suggested that “most [women migrants] lack economic resources and encounter great difficulties in being able to access public health services” (UNFPA, 2007). The study also recognized that there are other barriers including lack of information and lack of knowledge.

Migrants face difficulties in accessing health-care services in some countries of the region due to their irregular migration status, exclusion of temporary migrants in national health plans even from emergency health, fear of detention among irregular migrants, linguistic and cultural barriers, and difficulty accessing services due to geographical and economic constraints. Participants in the UNFPA study mentioned circumstances in which

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<sup>10</sup> However, the draft Plan of Health for 2011 includes specific provisions for immigrants.

they had been threatened by health professionals that they would be reported over their irregular legal status, questioned over the reasons why they came to Chile and the origin of their arrival, and questioned over their general circumstances which bore no relation to their health (UNFPA, 2007). In Uruguay, as in Chile, there have been cases in which migrants are unable to access health benefits due to the fact that they do not have an identity card of the country of destination. Even when migrants have access to emergency services, access to non-emergency services, including preventative care, is often problematic.

Cultural barriers may also exist, in particular in cases of immigrants that originate from rural areas where indigenous medical practices remain in use. In describing examples of specific cultural practices that caused concern for Bolivian mothers giving birth within the Argentinian health system, Caggiano mentions various factors, including “the importance of the placenta for the mothers, the rejection of cesarean surgery, not wanting to have blood drawn, modesty causing discomfort for the women when having to undress and having a doctor look at their body, a lack of adequate clothing, and hygiene habits” (Caggiano, 2008). In short, access to timely, quality health services that are culturally and linguistically appropriate without discrimination, and within a human rights framework, are limited or nonexistent in most destination countries. Linguistic difficulties may also create obstacles; for example, a number of Bolivian immigrants in Argentina command indigenous languages and struggle to understand the advice of doctors in Spanish.

## Level of migrant cultural, social and political integration and discrimination

There are few studies that relate directly to the social and political integration of immigrants within the region.

### Political inclusion

In terms of political integration, a number of countries in the region have given voting rights to immigrants. In some countries these rights extend to voting in all elections (national, provincial and municipal), and in others only certain elections. After the amendment to Article 120 of Paraguay’s Constitution, which prevented the vote of citizens abroad, Paraguayans living abroad were given the right to vote for president and vice president, senators and parliamentarians to Parlasur beginning October 2011. In Argentina, immigrants are not eligible to vote for national authorities. At present, a bill which will be discussed shortly in the National Congress is being proposed to grant political rights to immigrants with two years of permanent residence in the country.<sup>11</sup>

The Chilean Constitution states that a foreigner can vote after five years of legal residence. This right is restricted to foreigners who hold permanent resident visas and who have not been sentenced to a prison term in excess of three years in length (Articles 13 and 14 of the Chilean Constitution). On the other hand, legislation, which would allow Chileans who are outside the country to vote, is not yet in force.<sup>12</sup>

In countries such as Chile, there is legislation that recognizes the need for a dialogue between the government agencies responsible for migration management and civil society organizations representing the interests of immigrants in Chile (i.e. Presidential Instruction Number 9 of September 2008 on National Migration Policy). Chile is currently in the process of changing its migration legislation, and migrant groups have played a vocal role. A study undertaken in Argentina in 2005 on the role of the media in constructing the image of migrants suggests that print-media articles regarding immigrants tended to spike around elections, with a number of political candidates proposing restrictions on immigration as a means of obtaining the vote (Castiglione and Cura, 2005).

<sup>11</sup> See <http://noticias.terra.com.ar/politica/oficialismo-en-argentina-impulsa-voto-de-extranjeros-y-de-jovenes-de-16-anos,442a53b5bb779310VgnVCM300009acceb0aRCRD.html>.

<sup>12</sup> In March 2009, a new bill on automatic registration, voluntary voting and absentee balloting was sent to the Senate. It is now pending approval.

## Discrimination

Certain nationalities and migrant groups within countries of destination are subject to stereotypes and associated negative attributes; their low economic status and education level accentuates such treatment, and, in its most severe form, can give rise to racism and xenophobia. Discrimination against migrants is common in destination settings globally, as are stereotypes about migrants (e.g. criminals), and these are sometimes interlinked with prejudices based on ethnicity and national origin. Within the region, discrimination discourse can be traced back to nineteenth-century nation-building processes in South America. Built on the concept of European superiority during colonial times, European immigrants were deemed the most desirable migrants. Countries such as Argentina even included in their Constitutions selective migration policies to “encourage European migration” (Article 25), while in Brazil the Constitution (until 1994) favoured naturalized Portuguese-speaking Brazilians (Article 12). Thus, a notion of the European immigrant took hold in the national imaginations that has not yet lost its saliency.

While the current legal structure in most countries protects migrants, discriminatory practices still exist in various areas (such as health, education, justice, etc.) within these societies. Within the region, groups that are particularly vulnerable to discrimination include indigenous and Afro-American populations. Discriminatory practices are often reinforced by political speeches referenced by the media. Few recent studies have been undertaken in the region regarding the media’s role in formulating public perception on migration. An Argentinian study concluded by stating that print media in Argentina had played a role in the negative image of immigrants in Argentina as being “illegal” and deliberately discriminating and distorting their image (Castiglione and Cura, 2005). Discrimination based on ethnicity/nationality is also manifested in all social spheres in South America. For example, according to a survey undertaken by UNICEF in 2011 regarding discrimination against migrant children, the areas in which the greatest level of discrimination takes place include schools (67%), the street (18%), nightclubs (9%), employment interviews (3%) and football stadiums (1%) (UNICEF, 2012).

Discrimination also takes place in the workplace. In a number of countries of destination, migrants are tolerated but remain marginalized from the majority culture. A recent study regarding Bolivian migrants in Argentina found that racial prejudice stereotypes were common against this population, and were used to justify the inferior position in the cultural hierarchy of Bolivians working in Argentina (Pizarro, 2012:280). An early study undertaken by the Centro de Estudios Avanzados (CEA, Center of Advanced Studies) at the National University of Cordoba in Argentina in 2005 (prior to widespread regularization under the Patria Grande Programme) found that of the 200 complaints made to the agency that were investigated, 14 per cent were based on ethnicity (CEA, 2005). The study also noted the special case of immigrants from neighbouring countries, particularly Bolivian migrants, who were most affected by discrimination. In Argentina, migrants, and in particular Bolivians, remain one of the groups most affected by discrimination.

Reports in Chile suggest that certain migrant groups suffer from unfavourable treatment due to racial prejudices, in particular towards those migrants that originate from Peru, and also in relation to Afro-Colombian migrants in the border areas of the north of the country. Those Peruvian families who are to be found in the most precarious niches within the labour market, and as a consequence are only able to rent housing within the poorest neighborhoods, are excluded and feel greater degrees of discrimination due to their social economic situation (Pavez Soto, 2012). Peruvian children are only able to access public municipal schools, which often present low academic standards, weak infrastructure and lacking resources that would facilitate their social integration (ibid.).

However, it is difficult to paint a homogenous picture regarding the levels or nature of discrimination within the region. In many countries of destination, migrants have integrated into various aspects of the political and social life of the country. A demonstration of how societies embrace their immigrant communities can be found in Argentina, where the Ministry of Interior hosts a national festival of migrant communities each year. The festival is intended as a symbol of the diversity of cultural heritage in Argentina. In 2012, more than 50 associations of migrant communities joined in the festivities to demonstrate their cuisine, dance and other local customs, with more than 15,000 spectators.

## Integration and social networks

The interaction between immigrants and the wider community depends on a variety of factors, including socioeconomic status, nationality, gender and geographical location. No research identified directly analysed the interaction between migrant communities and the communities and neighborhoods of origin. However, as previously implied, socioeconomically disadvantaged migrants are subject to greater segregation and marginalization, in particular within urban and slum settings, suggesting poor levels of social cohesion between these migrant groups and the community.

Without a doubt, processes of integration into host societies are facilitated by the participation of migrants in social networks with varying objectives, interests and membership. In recent years, migrants within the South American region have created a strong infrastructure of community organizations. They have also been consolidating their ties with their countries of origin by creating migrant networks. Some organizations represent broad interests, while others are dedicated to favour more specific interests, for example, as observed within the Japanese communities located in Brazil which have forged more specific commercial interests (IOM, 2012).

While the demands of these associations are very varied, many are interested in specific elements related to the well-being of migrants, such as support of migrant regularizations and amnesties, support for the extension of social and political rights, as well as support for the simplification of administrative procedures in the embassies of their countries. The so-called Brazilian Movement of Stateless Persons serves as an example of political cooperation by migrant groups. It was successful in influencing the constitutional amendment (2007) that allowed large numbers of children of foreign-born Brazilians the right to obtain Brazilian citizenship (IOM, 2009).

In Argentina, the Paraguayan community has various different groups, the majority of which are included within the Federation of Paraguayan entities in the Republic of Argentina (FEPARA). The objective of this federation has been designed to ensure the maximum social and political representation of Paraguayans in the country. The Bolivian community also has its federation – the Federation of Bolivian Civil Associations (FACBOL) – which was created in 1995. So far, this entity has not been able to include all Bolivian associations in Argentina. Moreover, according to representatives of the Bolivian communities in Argentina, this organization has lost its representativeness over time (Cohen, 2009).

The Chilean community is the third and last Latin American community which has a federation in Argentina – the Federation of Chilean Associations (FEDACH). The other communities that are present in Argentina – such as Brazilian, Uruguayan, Peruvian and so on – maintain various organizations but have not created a federation aimed at self-representation. The fragmentation of some community associations gives those communities less power to articulate political claims or demands effectively on a provincial or national level.

### III. Conclusions and recommendations for policy

The changes in migratory policies in some of the countries in the region have opened the way for improvements in the conditions of migrants in countries of destination. The regularization of the migrants' migratory status, in particular, has impacted their well-being. Such policy changes have also taken place at a time of economic growth and increased employment opportunities in the region. Nevertheless, levels of discrimination, in particular those associated with certain nationalities of migrants, remain an issue that has the potential to impact social cohesion, especially in times of political or economic instability.

More research is required to address certain gaps in the understanding of migrant well-being, in particular the status of migrants vis-à-vis the native-born population. In this regard, public opinion surveys would facilitate an improved understanding of the attitude of the public towards migrants, which is generally offset by often largely negative media perceptions. In this regard, it is also of utmost importance to collect data on the migrants' perception of their own well-being.

In addition, countries in the region should analyse the need to create or reinforce programmes that aid the processes of social integration of migrants in the reception societies, by optimizing the mechanisms of participation in the different social environments, for example:

- Continued regularization of migrants and raising awareness of provisions such as those envisioned by MERCOSUR and CAN, which facilitate legal movement.
- Job-matching between countries of origin and destination to ensure that immigrants are drawn by actual job offers and not tricked by word-of-mouth offers; such measures could be complemented by improved regulatory frameworks for the recruitment of workers at the national and regional levels.
- Reinforcement of specific measures for immigrant children to help facilitate their integration and understanding, through acquisition of language, cultural integration, as well as addressing issues of family separation and reunion, disruption in studies and recognition of educational certificates.
- Facilitation of housing arrangements and avoidance of the creation of ghettos by immigrants located in certain districts or areas of the city.

This requires that governments in the South American region apply the principles outlined in normative instruments on migration at the regional level. However, it is suggested that ensuring the well-being of migrants in countries of destination goes beyond providing access to services; it should also open a debate as to the models of integration and to what may be culturally and linguistically appropriate.

Further, a dialogue should be reinforced to ensure the mobility of individuals within the region, and their integration within societies of destination. To this end, platforms such as the CSM, in which governments and civil society participate actively, hold much potential.

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