



The Difficulties of Being a Migrant and Processing Documents in Argentina During the COVID-19 Pandemic

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Abstract: In Argentina the COVID-19 pandemic has highlighted the consequences that irregular migration brings in terms of access to housing, labour and social assistance. Regularisation policies have impacted on migrants' lives, in a context in which xenophobic discourses dominate the agenda. Existing initiatives to mitigate this scenario should be accompanied by state actions to reverse such a trend.

Argentina's migrant population has experienced strong setbacks in terms of access to rights in recent years. In addition to decrees and policies that have re-emphasised this group as a threat, new obstacles have delayed or prevented the regularisation of their status. COVID-19 has exacerbated the negative consequences for undocumented migrants in terms of housing, labour and social assistance. Various reports and statistics from civil society organisations and international agencies show how regularisation policies have impacted on

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migrants' lives during the pandemic, in a context in which xenophobic discourses dominate the agenda. In this regard, relevant initiatives by different organisations to mitigate this scenario can be outlined, also recommending state actions to reverse such a trend.

Recent erosion of migrant rights

Since its first census in 1869, Argentina has been a popular destination for international migratory flows, both regional and from overseas. This is reflected in the latest census, which shows that 4.5 per cent of residents were born in another country. In 2003 Argentina radically liberalised its approach to human mobility by enacting Migration Law 25871: its strong emphasis on the protection and promotion of human rights earned international recognition for being at the forefront in this area.

Nonetheless, various measures and political contexts have strained the spirit of this law, especially since 2017, when policies that tended to criminalise and characterise migration as a threat were introduced. The most renowned policy was the [DNU 70/17](#) which *inter alia* sought to associate migration with crime and to tighten control of this population. Moreover, several administrative practices were suspended or had their orientation altered. In particular, changes were made in relation to immigration regularisation, which is vital as documentation is the gateway to access rights. In Argentina, having a national identity card is essential in order to get a formal job, a regulated housing contract, social security and other important requirements for reasonable living conditions.

In March 2021, one year after the change of government, the aforementioned Decree 70/17 was repealed. Nevertheless, difficulties and delays in document processing have persisted and, to a large extent, worsened as a result of the pandemic. In what ways have regularisation problems been aggravated by COVID-19? How has this new scenario had a greater negative impact on the migrant population? How has it affected people's daily lives and what rights have been affected? What measures has the state taken to address this situation?

The progressive worsening of migrants' living conditions

For much of the last decade, the resolution of immigration proceedings increased steadily: between 2011 and 2018 it reached a peak of around 200,000 residences granted per year. From 2004 to 2018, the procedure was conducted in person at more than 30 immigration delegations throughout the country. In 2018, when the *Cambiamos* administration was halfway through, this procedure was significantly revised by the *Radicación a Distancia de Extranjeros* ([RaDex](#)) system. However, the new system has introduced technological modifications which have resulted in different obstacles and delays that have directly impacted the number of filings resolved. In 2019, the year in which it began to operate exclusively online, [161,700](#) cases were resolved. In 2020, the National Migration Office granted less than 88,000 residences, permanent and temporary, to people

of all nationalities. Finally, in the last year 199,000 residences were granted. After three years, the regularization trend started to grow again.

Besides the debates around the number of cases resolved annually, it also increased processing [delays and costs](#). In the early part of the last decade, each individual claim was completed in approximately three months: since 2017 delays have grown until the process now takes one year. Moreover, migration fees multiplied fivefold between 2014 and 2018, rising from ARS \$600 to ARS \$3,000 for residents from MERCOSUR and ARS \$1,200 to ARS \$6,000 for residents outside MERCOSUR.

The aforementioned conditions in terms of document status directly correlate to the migrant population's position within the labour market. According to a study by the [International Organization for Migration](#) (IOM), by the beginning of 2020, 47.2 per cent of migrants were engaged in unregistered work, much higher than 33.3 per cent of the general population. A similar number was reflected in a [Migrant Agenda Report](#): before the pandemic, [55 per cent](#) of the migrants consulted had informal jobs. To a large extent, this data can be read in the light of the migrant population's status, since [76 per cent](#) of the people without a national identity card (DNI) do not work in a registered manner. In other words, not having either transitory or permanent residency directly affects access to secure employment. Thus, the population's informal work situation is the explanatory context for [53 per cent](#) of migrants losing part (17 per cent) or all (36 per cent) of their income during the COVID-19 pandemic.

In addition to the pandemic-related job losses which affected society in general, but the migrant population in particular, the 2020 Statistical Yearbook of Migration Statistics of Argentina found that [67 per cent](#) of migrants received no social or economic support, either from the state or from non-governmental (national or international) organisations.

In this regard, it must be noted that during the COVID-19 pandemic 82 per cent of migrants did not have access to the Emergency Family Income (IFE), the most important governmental measure in terms of socio-economic support for families in vulnerable situations. Furthermore, only one out of ten migrants resident in Argentina for less than five years were able to access this aid. These numbers are directly linked to IFE documentary requirements, particularly the condition of [regular residence](#) for two years.

Advancing human rights preparedness

In a context in which [three out of ten](#) people in Argentina favour prohibiting any type of immigration, migrant support groups and various human rights organisations have taken [diverse actions](#) to mitigate the deterioration in living conditions of migrants, refugees, asylum-seekers and their families. Relevant initiatives include answering social assistance queries, advising on and accompanying migrants during immigration regularisation procedures. Helpers have also distributed bags of food, cleaning and personal hygiene products.

Documentation is an unavoidable gateway to access rights. This is stated, among other instruments, in [Article 69](#) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Therefore, in addition to making labour, social assistance and housing more accessible to migrants, the government must incorporate mechanisms that facilitate the regularisation of temporary and permanent residence permits and national identity cards. This could include working toward ensuring reasonable times for case completion and the re-introduction of regional centres for face-to-face document processing to accommodate those who cannot undertake the process virtually for various reasons. The state could also review the costs of immigration fees, as well as simplifying procedures for those who request fee exemption and ensuring that there are sufficient translators available to overcome any language barriers. As the migrant population is disproportionately adversely affected by the pandemic, it is vital that Argentina incorporates and implements policies that address their particular circumstances and guarantee their fundamental rights. This means not only sticking to the letter of the law but also taking practical steps to remove bureaucratic obstacles to ensure that migrants can meet their basic needs.