

Global migration and pandemic: economic aspects and political shifts in the European Union and Mercosur in times of COVID-19

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1 INTRODUCTION

The international community is currently facing the worst migration crisis since World War II. Millions of people have left their homes to seek protection in other cities or countries. By the end of 2019, there were 30.2 million refugees and asylum seekers, according to the United Nations High Commissioner for Refugees (2020) and, if forced internal migrants (internally displaced persons) were counted, that number would pass to 79.5 million. However, that number is much higher. Firstly, because not all forced migrants meet the legal requirements for applying for asylum. Second, because even those who would fit in, sometimes remain irregular for fear of being deported, since they do not know if they have the right to asylum.

South America and Europe are the two continents hit by the crisis hardly, which impacts the development of regional blocs in these respective regions. In relation to these blocs, Mercosur and the European Union stand out, which provide in their domestic legislation for the free circulation of their nationals and residents. In other words, if a large flow of migrants from third countries enters these blocs, it will have an impact on the system of free movement of nationals. As an example, we have the closing of some borders within the Schengen Area¹ in 2015, at the height of the European migration crisis and the control of migrants from Venezuela - a member state of Mercosur² -, also from 2015, by the other members of the bloc, due to the economic and political crisis

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that affect that country. And if it is already difficult to manage the migration crisis in “normal times”, it becomes even more complex during a pandemic, declared by the World Health Organization on March 11, 2020.

COVID-19 reached the five continents, so that several countries are facing serious health crises, in addition to economic and political ones. If the new virus is already a problem for people who normally live in their usual homes, it becomes even more serious for migrants, especially forced ones. They are often people without family support, without a job (or with informal work) and without financial reserves. It is important to note that these migrants are often dependent on solidarity networks (NGOs, churches, migrant associations, etc.), which have been overwhelmed by the economic and social impacts of the pandemic on nationals, including with closed social shelters, as we will report in next sections.

Countries are managing ways to alleviate the crisis on two fronts: the health and the economic. In addition to the measures taken at the domestic level, there are also those taken by institutions in the regional blocs. It is possible to say that these are regulations in a broader sense, while national governments make decisions on more specific issues, focused on internal problems. In any case, these national decisions must comply with the guidelines determined by regional organizations.

Therefore, this article aims to analyze and compare the regulations related to migration and COVID-19 within the scope of Mercosur and the European Union. To achieve this objective, in section two, a review of the issue of migration and the pandemic will be carried out. In sections three and four, the legal, institutional, political, and economic aspects of the European Union and Mercosur, respectively, will be studied. Finally, in the Final Considerations section, a comparison will be made of the regulations of both blocks and the outlook for the migration scenario in both regions in the post-pandemic.

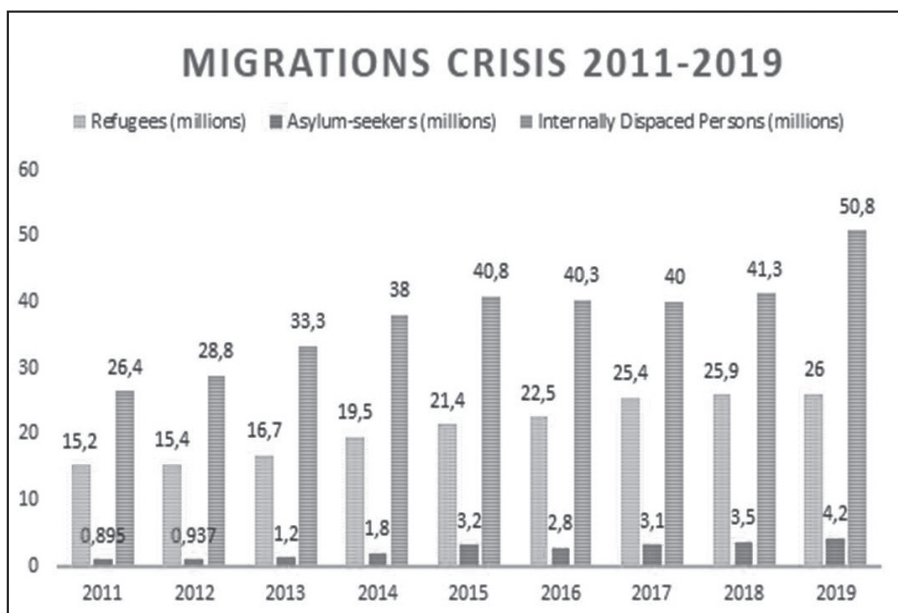
This is a qualitative and exploratory research, in which bibliographical and documentary sources will be used, according to Gil (2019). Emphasis will be placed, in particular, on Mercosur and European Union regulations, for this purpose, in sections three and four, we will divide the analyzes into subgroups, addressing the legal and institutional aspects, and the political and economic aspects.

It is expected, therefore, with this article, to seek a reflection on the effects of the COVID-19 pandemic - which may impact 79.5 million migrants, according to the international non-governmental organization Refugees International (COVID-19 and the displaced ..., 2020) - in international migrations, especially in the two blocs mentioned above, as well as promoting a reasoned discussion on the normative, political and institutional responses of Mercosur and the European Union in the face of the pandemic and their own migration scenarios.

2 MIGRATIONS AND PANDEMIC

Currently, international society is facing a serious migration crisis, especially due to several conflicts, that is, a situation of forced migration, in which people are forced to leave their homes. The current European migration crisis began between 2011 and 2012, especially due to the war in Syria. This is a conflict that generated a massive fugue of Syrians and started with the Arab Spring in 2011 and worsened with the emergence of the Islamic State. Since 2015, Syria has been the country with the largest number of refugees and internally displaced persons.

However, the Syrian conflict came to be added to conflicts in other countries where there were already large flows of refugees and internally displaced persons, with emphasis on Afghanistan and Iraq. In addition, it is important to highlight the various conflicts in African countries, especially the Central African Republic, Democratic Republic of Congo, Sudan, South Sudan, Mali, and Somalia. And, as of 2016, Myanmar and Venezuela also became part of countries with a serious migration crisis. However, Venezuelans are not in the official UNHCR data, since part of them was received in the countries of the region through other alternatives allowed by the region's legal systems. In any case, UNHCR estimates that there were about 3.6 million forced Venezuelan migrants in 2019. To better visualize the migration crisis, see Graph 1 below, which does not include Venezuelans:



Source: prepared by the authors based on UNHCR (2020) data.

As we can see, the crisis has increased over the years and it occurs mainly within the states. Nevertheless, these internal migration crises, in most cases, end up becoming international ones. That is, internally displaced people often end up leaving their countries to seek refuge in others. From that moment on, they become asylum seekers and, once this has been recognized, they become refugees. Everyone, regardless of denomination (internally displaced, asylum seeker or refugee), is in a vulnerable situation.

UNHCR highlights the following countries as the largest influx of forced international migrants in 2019: Burundi, Democratic Republic of Congo, Myanmar, Syria, Yemen, Central African Republic, Nigeria, South Sudan, and Venezuela. And, if we consider the large increase in internally displaced persons in 2019, it is possible to predict that there will be a strong increase in refugees in the sequence, given the crisis situation created by the COVID-19 pandemic since mid-2020.

Another important aspect to be mentioned is that of voluntary or economic migrations (MASSEY, 2017), or even perspective migrations (UEBEL, 2019), which have also undergone a considerable increase over the last two decades due to the imposed shifts and changes in the International System (IS) and in the labor and economic relations of the technical-scientific-informational environment (SANTOS, 2006), that is, in the world where technical (especially political), scientific and information relations are increasingly impacting the IS.

Among these transformations, the effects of the COVID-19 pandemic, declared in March 2020, after the initial outbreak in China, which quickly had subsequent epicenters in Italy, Spain, the United States and, more recently, in Brazil, are intensified in a conjuncture that implies greater vulnerability of voluntary and forced migrants, in view of the border closure, travel ban, interruption of flights and road transport and increased control of human mobility, in order to prevent the spread of the new coronavirus, which causes the pandemic disease.

To have a dimension of the pandemic, based on national data compiled by Johns Hopkins University, on August 25, 23.73 million confirmed cases of COVID-19 and 815,248 deaths were recorded worldwide. Table 1 below shows the thirty countries with the highest number of cases and deaths from the disease, respectively.

Table 1 - Number of confirmed cases and deaths by COVID-19 in the thirty countries with the highest incidence – August 25th, 2020

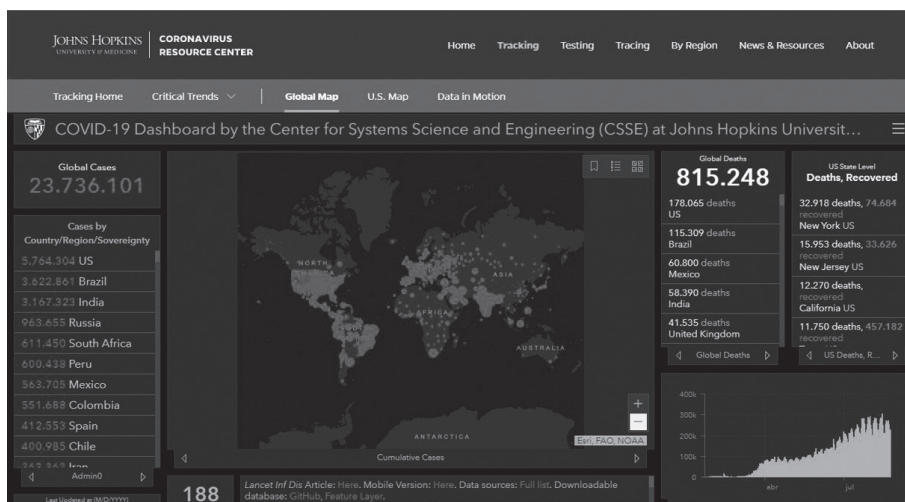
Country	Cases	Country	Deaths
United States	5.764.304	United States	178.068
Brazil	3.622.861	Brazil	115.309
India	3.167.323	Mexico	60.800
Russia	963.655	India	58.390
South Africa	611.450	United Kingdom	41.535
Peru	600.438	Italy	35.445
Mexico	563.705	France	30.549
Colombia	551.688	Spain	28.924
Spain	412.553	Peru	27.813
Chile	400.985	Iran	20.901
Iran	363.363	Colombia	17.612
Argentina	350.867	Russia	16.524
United Kingdom	329.821	South Africa	13.159
Saudi Arabia	309.768	Chile	10.958
Bangladesh	299.628	Belgium	9.996
Pakistan	293.711	Germany	9.281
France	285.879	Canada	9.129
Turkey	261.194	Argentina	7.402
Italy	261.174	Indonesia	6.858
Germany	237.083	Iraq	6.596
Iraq	211.947	Ecuador	6.368
Philippines	197.164	Pakistan	6.255
Indonesia	157.859	Netherlands	6.232
Canada	127.647	Turkey	6.163
Qatar	117.498	Sweden	5.814
Ukraine	110.949	Egypt	5.280
Bolivia	110.148	China	4.711
Ecuador	109.030	Bolivia	4.578
Israel	106.245	Bangladesh	4.028
Kazakhstan	104.902	Saudi Arabia	3.722

Source: Johns Hopkins University. Available at: <<https://coronavirus.jhu.edu/map.html>>. Accessed on August 25th, 2020.

Europe and South America, in addition to the United States and Mexico, stand out as the regions with the highest incidence of deaths and cases of COVID-19. In detail, in the European Union there were 1.75 million cases and 139.4 thousand deaths on August 25, 2020, while in Mercosur there were 3.98 million cases and 122.9 thousand deaths on the same date. (JOHNS HOPKINS CORONAVIRUS RESOURCE CENTER, 2020).

The geography of the pandemic allows us to observe, according to the map in Figure 1, that the incidence at the boundaries of the European and Mercosur blocs resulted in greater challenges for the migration flows already consolidated to the two regions, especially those originated from North Africa and the Middle East to Eastern Europe and Central Europe, and of Venezuelans and Caribbean citizens (mainly Haitians) to the Mercosur countries, notably Brazil and Argentina.

Figure 1 – COVID-19 pandemic global scenario – August 25th, 2020



Source: Johns Hopkins University. Available at: <<https://coronavirus.jhu.edu/map.html>>. Accessed on August 25th, 2020.

In this sense, the pandemic implied a worsening of border tensions in both regions, given the increase and concentration of migrants in checkpoints, then closed or with restricted access. In the case of Melilla, a Spanish (and European) territory on the African continent, the scenario aggravated by COVID-19 was described as follows:

One border guard sustained minor injuries. Reports were from Guardia Civil police force chief Jose Manuel Santiago, who noted that “260 migrants tried to climb over” the metal fence on the border but that “only 53 managed

to cross” over. “We will continue to work with Morocco to avoid this type of situation, we will not let down our guard,” Santiago said when asked if the lockdown had affected border security. Spain has called up a large part of its security forces to enforce a ban on movement as part of efforts to halt the spread of COVID-19. Some 13,000 people in Spain who tested positive for the virus have died. “They used metal hooks in their attempt and threw rocks at police,” he told a news conference (MELILLA border fence stormed..., 2020).

In the context of Mercosur, the most emblematic case - and also with the greatest effects on migrants, as we will see in the next sections - was the dual closure of the Brazil-Venezuela border, ordered by the federal governments in Brasilia and Caracas, in order to contain the spread of the new coronavirus (BOLSONARO anuncia fechamento de fronteira com a Venezuela, 2020; MADURO ordena reforzar frontera con Brasil por la pandemia, 2020).

Another aspect to be considered in the context of migrations in a pandemic scenario, is how human mobility is immediately impacted in the most diverse fields, from the borders closure, as previously mentioned, to access to public health services, interruption of labor activities – even if irregular, given the restriction of movement of people – due to measures of social distancing, such as lockdown, non-granting of financial aid by governments and the impacts on the international remittance of money to their families in their countries of origin, with the closing of banks, post offices and exchange agents. Indeed, migrants are the first to experience the major effects of a pandemic.

The social anomie caused by a pandemic also represents considerable psychological impacts, as already pointed out by Choudhari (2020) and Rothman, Gunturu and Korenis (2020) in the current pandemic context, which leads us to prospect for such effects also for migrants, especially those in greater vulnerability, such as refugees and asylum seekers.

One can see the occurrence of a negative shock of expectations in these groups, since they yearned for an opportunity to improve their lives, which was suddenly affected by the effects of the pandemic on employment, for example. The first studies, as described by Mantovani (2020), already demonstrate the worsening of social vulnerability among Venezuelan migrants in Brazil:

More than 80% said that this income worsened during the pandemic, as well as access to food - which is even more serious because, in childhood, malnutrition can leave lasting marks. Most stated that the whole family is at home during the quarantine, but 40.8% said that someone leaves to work outside the home. In Brazil, the number exceeds 60%. More than 60% had to stop going to school in this period, 34% said they did not have access

to health services, and 20%, nor soap and water to protect themselves against the coronavirus. Just over 30% said that the pandemic generates some kind of discrimination, especially in relation to Venezuelans. The housing situation was also precarious: 28% of the children interviewed are at risk of being evicted due to non-payment of rent, 6.9% were actually evicted and 10% had to go to a shelter (MANTOVANI, 2020, our translation).

In this dimension, we will see in the next sections how the European Union and Mercosur, which present similar scenarios (in a proportional way), have institutionally responded to the effects of the pandemic on international migrations, considering, above all, the legal, institutional, political and economic aspects.

3 THE SCENARIO IN THE EUROPEAN UNION

3.1 Legal and institutional aspects

Europe was the second continent that was hit hard by COVID-19, with the health crisis worsening strongly in Italy initially and, soon after, spreading to other neighboring countries. And the answer was not only from local and national governments, but in conjunction with the determinations of the European institutions, which, since the beginning, have worked hard to manage the pandemic within the European bloc.

It is important to note that the health crisis was added to the migration crisis. The European continent, especially the region that includes the member countries of the European Union, has geographical proximity to countries from which a large flow of refugees originates, the main route of migrants being via Greece. Since the beginning of the Arab Spring, the flow has intensified, so that in 2015 some countries in the Schengen Area temporarily closed borders.

Regarding the movement of people within the bloc, it is necessary to distinguish between nationals of Member States and third countries. The European Union provides for the free movement of people internally, since the creation of the Schengen Area. Regarding forced migration, the Common European Asylum System was created, with a set of Community regulations to administer forced migrants: The Qualification Directive, Asylum Procedures Directives, Reception Conditions Directive and the Dublin Regulations. These rules are internal, and all Member States must adopt them, being able to establish more protective conditions than those envisaged at the European level.

The migration crisis aggravated by the Arab Spring as of 2011 caused the various regulations to be revised and a treaty to be signed with Turkey in 2016, to contain migrants, especially Syrians, in its territory. This agreement was

the target of several criticisms, since Turkey is not considered a country that respects human rights under the terms provided by European and international legislation, having been seen only as a means to reduce the flow of immigrants to Europe instead to actually resolve the situation. Human Rights Watch (2016), for example, pointed out that, at the time of the agreement in 2016, there were already more than 2 million Syrian refugees in Turkey and sending even more Syrian refugees would only aggravate the situation, with no guarantees of respect for human rights, such as health and education. There are also criticisms regarding Turkish interests, such as facilitating Turkey's entry into the European Union, exemption from visas for Turkish citizens in the Schengen Area, facilitation of the customs union agreement with the European bloc, among others (RUYT, 2015). So, there were strategic interests on both sides.

However, at the end of February 2020 there was a severe crisis between the European Union and Turkey, under the Turkish claim that the Europeans were not delivering on what was promised in the agreement, with emphasis on the payment of 6 billion euros, which was only partially paid. Due to the new discussions, the agreement is being revised (URAS, 2020).

To make matters worse, the differences between Turkey and the European Union occurred just as Italy and Spain faced a large daily increase in deaths and new ones infected by Covid-19, in addition to the virus beginning to reach other European countries. Consequently, several European countries closed their external borders and returned to controlling internal borders. Although the Schengen Area provides that the movement of persons must be free, there are exceptions regulated by the treaty. It is possible, therefore, that countries control or even close their internal borders in exceptional situations, such as the pandemic for example (EUROPEAN COMMISSION, 2020c). Regarding external borders, the decision is also individual for each Member State, always observing the recommendations of the European institutions. And just as there was a recommendation for temporary restrictions in March, since June the recommendation is for a gradual opening, with selection of nationals from countries with permitted entry (EUROPEAN COMMISSION, 2020b).

It is clear, therefore, that the European Union is currently managing two serious crises³: the migration and the sanitary. According to the European Refugee Statute (2011), all refugees and other forced migrants eligible for subsidiary protection are entitled to health. In addition, they are also entitled to assistance for their subsistence, such as accommodation, food and basic care and hygiene, according to the Reception Directive (2013). In other words, those who are installed and residing in European countries have, in theory, their rights guaranteed, including eventual emergency financial aid.

On the other hand, applicants who have not yet completed their asylum processes do not have this guarantee. Each country can adopt its own management criteria, based on the rules established by the European Asylum System, based on respect for the protection of human rights. Some countries provide financial

assistance (not necessarily an emergency aid program) to applicants. Germany, Austria, and Denmark, for example, grant cash to applicants directly in their accommodation. (EUROPEAN COMMISSION, 2020b).

Considering European legislation and other international treaties, some basic rights were restricted by European countries due to the pandemic. In any case, the European Commission has established guidelines for Member States, in which it notes that all applications for asylum must be registered (even with a delay) and all applicants must have full access to health (EUROPEAN COMMISSION, 2020b). In other words, in theory, all rights are guaranteed, the question is its application by the Member States on a daily basis.

Regarding the patrolling of maritime routes, it is lawful to inspect the smuggling of migrants and human trafficking, but it is illegal to return those forced migrants who were actually fleeing their country of origin and, during the migration journey, were victims of smugglers or traffickers. Many of the smuggled migrants are refugees, since refugee status is declarative and not constitutive. Therefore, they could not be returned, according to the principle of non-refoulement, guaranteed by international treaties and the European Refugee Statute. Even a pandemic cannot override this right. The right of access should be guaranteed, while respecting the quarantine period.

Finally, it should be noted that there are migrants who have managed to reach the border of some European country during this period of pandemic. In these cases, countries have adopted domestic procedures, highlighting the mandatory compliance with quarantine. This period has been fulfilled in places previously designated by the countries. Some, such as Ireland, for example, have performed covid-19 tests on new applicants on arrival, while others, such as Italy, have applied tests after the quarantine period (EUROPEAN ASYLUM SUPPORT OFFICE, 2020).

In addition to these legal and institutional issues, the pandemic and the migration crisis also reflect on political and economic issues, as will be seen below.

3.2 Political and economic aspects

Before Italy became the epicenter of the COVID-19 pandemic in March 2020, the European Union was still restructuring after the United Kingdom left the bloc on January 31, seeking new political agendas and sources of financial and budgetary reorganization, given the vacuum left by the contributions from London to Brussels.

The political and economic context signaled to a hegemonic projection of Germany and France, which should seek the internal cohesion of the bloc and promote the expected institutional reforms, long awaited since the announcement of Brexit in 2016. Also, Brussels was faced with pressures for more migration control and enforcement, especially at the bloc's frontiers, such

as Italy, Greece, Bulgaria and Romania, and was facing geopolitical and border tensions with Turkey and Russia, in addition to the reopening of the admission processes for new members of the Balkans.

In the political field, countries like Hungary and Poland were entering into a new stage of their nationalist and far-right agendas; meanwhile, Portugal and the Nordic countries, except for Sweden, were consolidating their social-democratic agendas. In terms of foreign relations, the main topics were the voting on the free trade agreement with Mercosur, the approximation with China, as stated by Prins (2018) and a distancing, which we will call as protagonist autonomy, from the United States under the administration Donald Trump, according to Gardner (2020).

With regard to pre-pandemic migration issues, it is worth highlighting the turn taken by Spain with the inauguration of the socialist government in June 2018, followed by Germany, the Benelux countries and Denmark, whereas receiving and welcoming asylum seekers and trying to adopt an agenda for the regularization of undocumented immigrants. Portugal will join later this group and will have a fundamental role already in the context of the pandemic.

After the declaration of the pandemic by WHO, the European bloc's first political responses were to control and close its external borders, except for some internal examples, such as Portugal and Spain, and the ban, afterwards, by its member countries, on flights and admission of people who had visited countries with epidemiological outbreaks, such as Brazil and the United States. The movement of foreign individuals who were already within the Schengen Area was allowed with limitations, respecting each national border control.

Unlike Mercosur, as we will see in the next section, the European Union, under the leadership of Angela Merkel, German Chancellor, institutionalized an agenda of cohesion and political collaboration to combat the effects of the pandemic and promoted the creation of a package of € 750 billion (EU agrees on 750 billion-euro recovery fund, 2020) to mitigate economic impacts and prevent a new crisis, such as the Eurozone crisis of 2012, or worse.

Among the aspects that concern the migration agenda during the COVID-19 pandemic in the European Union, some national examples are worth noting, such as Portugal, Italy, France, and Hungary, which adopted different mechanisms. While Portugal (SEF vai legalizar todos os estrangeiros..., 2020) and France (DÉCONFINEMENT: votre département est-il en vert, orange or rouge ..., 2020) have implemented, respectively, policies to regularize immigrants – to allow their access to health services – and social distancing models by flags, Italy and Hungary (HUNGARY'S ORBAN blames foreigners, migration for coronavirus spread, 2020) pursued a more punitive agenda for immigrants and foreigners, with expulsions, deportations and suspension of residence permits, respectively.

In addition, the European Commission stated in its document “Europe's moment: Repair and Prepare for the Next Generation” (EUROPEAN COMMISSION, 2020) the following regarding post-pandemic migration:

The crisis has also put a severe strain on Member States' asylum systems and on border management in the European Union. The new Pact on Migration and Asylum will seek to make the EU's management of asylum, migration and borders more effective, fairer and flexible enough to respond to crises (EUROPEAN COMMISSION, 2020).

This declaration finds resonance in the aspects mentioned above, especially those carried out by countries in Western Europe and Scandinavia, while the Eastern European, Mediterranean and Slavic States adopt a more reticent and even restrictive position regarding migrations after the pandemic, especially considering the origin of these migrants, North Africa and the Middle East, regions that could represent new waves of COVID-19, according to Sumner, Hoy and Ortiz-Juarez (2020) and Arezki and Nguyen (2020).

That said, the European Union's political and economic responses to the pandemic show that they will take into account the central aspects of humanitarian asylum policies, however, they will still, to some extent, reproduce scenarios from the context prior to the pandemic, such as restrictions, non-regularization, and the maintenance of border shelters and refugee camps, as in Italy and France.

In addition, the increase of border control at European borders, in order to prevent the entry of people from countries with high degrees of contagion, may be added to a not-so-objective agenda of greater restrictions on migration, despite the increasing presumable demand for foreign workers in the countries most affected by the pandemic crisis, as pointed out by the report on the reconstruction of the EU. In the same direction, we will see in the next section the aspects and circumstances for the Mercosur case.

4 THE MERCOSUR CONTEXT

4.1 Legal and institutional aspects

Like the European Union, Mercosur also has regulations on the migration issue, but to a lesser extent. As a bloc that includes the free movement of people, there are specific regulations on labor, social security, recognition of diplomas, tourism, civil rights, residence facilitation, among others. However, the fact that it has objectives and an institutional structure quite different from the European Union makes internal regulations much less specific and in a smaller number⁴.

The immigration regulation started in 2002, with the establishment of agreements to regulate the issue of immigrants between the countries of the bloc and with the associated countries (Chile and Bolivia). In the following year, 2003, the Specialized Migration Forum was created, with the objective of analyzing the impact of migrations in the bloc.

In 2004, shortly after the establishment of the aforementioned Forum, the Migration Principles were developed, based on the protection of human rights and the regularization of all migrants in the bloc. These Principles are applicable to all migrants, including third country nationals. In this document, countries commit to comply with specific international and regional regulations for refugees and, also, to prevent and combat trafficking in persons (DECLARACIÓN DE SANTIAGO SOBRE PRINCIPIOS MIGRATORIOS, 2004).

In 2012, another document was prepared, this time dealing specifically with refugees, without involving the issue of human trafficking and other types of migrants. The Mercosur Declaration of Principles on International Refugee Protection highlights the basic principle of International Refugee Law, which is non refoulement, in addition to guaranteeing the same rights granted to foreigners residing in Mercosur countries, as well as other rights provided for in international instruments and regional.

Apart from agreements signed to regulate the movement of people in Mercosur, the other instruments mentioned above are classified as soft law. In other words, all documents that address the issue of refugees in the bloc are guidelines for Member States and are not considered regional treaties. Nevertheless, these documents emphasize that Member States must follow treaties and other international and regional documents. In fact, all members of the bloc are signatories to the 1951 Refugee Convention and its 1967 Protocol, in addition to being signatories to many human rights treaties at the international and regional levels. It is possible to affirm, therefore, that these countries are bound by the main regulations on the law of migrants.

As already explained in the previous sections, we are currently experiencing a period of serious health crisis that affects the most basic rights of migrants due to their condition of vulnerability. And, to date (August, 2020), there is no document in Mercosur addressing the issue of immigrants and the pandemic. In any case, it is important to note that all documents in the bloc make it clear that all migrants (nationals of the bloc or third countries) have the right to health. In fact, the Santiago Declaration (2004) already predicted that countries should organize a common health regime, which took more concrete forms at the end of 2019, but has not yet been consolidated.

Based on the interpretation of the aforementioned Principles (from 2004 and 2012), we understand that social rights must also be extended to immigrants. Therefore, social benefits granted by governments, such as emergency aid, must also be guaranteed to immigrants.

It is important to note that the documents do not mention those immigrants who are in irregular situation. We note, however, that it is exceedingly difficult for irregular immigrants to have access to possible social benefits, since their presence in the country is not, supposedly, known to the government. That is, one must be registered in the country in order to receive any assistance.

In the case of the right to health, irregular immigrants will also encounter difficulties. But it is likely to receive assistance, since all Mercosur documents on migrants emphasize the protection of human rights.

It should also be noted that all Mercosur member states are part of the Inter-American Human Rights System and the regulations of the Inter-American Commission on Human Rights are very clear: all immigrants, without any discrimination, have the right to public health. In addition, the Commission emphasizes that there should be no measure that discourages immigrant access to the health system, such as, for example, control of immigrants or sharing information with the government. The data must be confidential (INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, 2020).

As we can see, in theory, all immigrants would have the right to protection during the pandemic. The question is about the post-pandemic. Therefore, the ideal would be the regularization of all irregular migrants, in order to guarantee wide access to health and social benefits, as Portugal had done, as we presented in the previous section. In this regard, we will see in the next section the political and economic responses by the countries of the Mercosur bloc.

4.2 Political and Economic Aspects

The political situation of Mercosur in early 2020, therefore, prior to the declaration of the COVID-19 pandemic by WHO, denoted to a process of transformation, with the inauguration of a new center-left government in Argentina and a center-right government in Uruguay, a threat of impeachment trial in Paraguay and the maintenance of political turmoil in Brazil, increasingly distant from the bloc since the inauguration of the new government, whose chancellery has prioritized bilateral agendas and a total realignment to the United States.

In the economic and political fields, each country in the bloc follows a different path: Argentina seeks to occupy the role left by Brazil, while it is more and more distant; Paraguay isolates itself, due to its internal crises and difficulties in negotiating with China, the bloc's main partner, as it recognizes only Taiwan, and Uruguay is guided by autonomy in the bloc, avoiding to a relation of total dependence on the other members.

As each country has adopted its own policy, unlike the European Union, of mitigating the effects of the pandemic in the economic fields – with repercussions on migration and the labor market –, we present Table 2 below with the synthesis of each Mercosurean country.

Table 2 – Responses by Mercosur countries to the COVID-19 pandemic and migration and border issues

Country/Issue	Migration policies	Border policies	COVID-19 scenarios and its impacts	Foreign Policy
Argentina	New Migration Law in 2004; Necessary and Urgent Decree 2017; Alberto Fernández's migration policy.	Closing of all borders on March 27 th ; Gradual, planned, and secure reopening on April 1 st ; Opening to foreigners on September 1 st .	General quarantine; Interruption of immigration flows; Fall in tourism; Demonstrations against lockdown.	New regional and international performance after Fernández's inauguration; Resumption of dialogue with Venezuela; Occupation of the leading role gap left by Brazil.
Brazil	New Migration Law in 2017; Ordinance 666 of 2019; Migration policy of Jair Bolsonaro.	Closing of land borders on March 19 th ; Repatriation of Brazilians; Open ports and airports.	Federalized social distancing; Venezuelan flows maintained; Reopening in the middle of the pandemic; Emergency Aid for immigrants.	Reposition of Brazilian foreign policy; Majored international isolation; Issues of PROSUR and the Lima Group; Distancing from Mercosur.
Paraguay	1996 Law; Agreement with Mercosur; Migration policy of Mario Abdo Benítez.	Closing of land borders on March 24 th ; Sanitary barriers with Brazil; Authorized transit of goods.	Social isolation policy; Institutional and political crisis; Repatriation of Brazilians and Argentines; Tourist flows, and binational trade impacted.	Isolation in Mercosur; Taiwan recognition; Difficulties with China.
Uruguay	2008 Law; Twin cities and transbordering traffic; Migration policy of Luis Alberto Lacalle Pou.	Closing of land borders on March 31 st ; Agreement with the government of Rio Grande do Sul; Control in border cities.	Social isolation policy; Positive example for the world; Control of the virus spread; Minor impacts on the migrant economy.	Center-right government with maintenance of the foreign policy of the <i>Frente Amplio</i> (left-wing party); Autonomy in Mercosur; Attraction of skilled immigrants.

Source: Elaborated by the authors.

According to the previous table, it is possible to identify, therefore, different agendas and mechanisms adopted by Buenos Aires, Brasília, Asunción and Montevideo, from the lockdown in Argentina to the federalization (i.e., shared responsibility with states and municipalities) of the social distancing measures in Brazil. The impact on intra-block human mobility was noted, since the only common point between the four countries was the closure of borders.

The impacts of COVID-19 on migrants in Mercosur were addressed, in a political and institutional way, only at a seminar held by the Mercosur Institute of Public Policies on Human Rights in early July 2020, entitled “*Conversatorio Virtual sobre Gobernanza Migratoria y Pandemia COVID-19*” (Webinar on Migration Governance and the COVID-19 Pandemic, our translation), with the collaboration of the regional office of the International Organization for Migration.

In spite of these issues, the flow of Venezuelans and Haitians, whose critical pre-pandemic character we pointed out in the introduction to this article, remained during the period, according to the latest OBMigra Monthly Report (OBSERVATÓRIO DAS INTERNACIONAIS INTERNACIONAIS, 2020) in Brazil, and migrants have suffered direct impacts, especially on access to basic health services, shelters, financial assistance and housing, whose responses, as we pointed out, were different in each of the bloc’s countries.

5 FINAL REMARKS

A century ago, the International System was beginning to recover from the effects of the 1918 flu pandemic, which not only changed the world order in the interim of the First World War, but also had consequences for regional scenarios in Europe, the Americas and the Middle East, in particular, and, therefore, it affected international human mobility, especially the migration flows of war refugees.

A century later, we are faced with a new pandemic, whose impacts on the economy, politics and international relations are already at levels higher than those seen in previous global health crises. In this context, migrations would not be immune to the effects of COVID-19, since the borders were closed and flows were almost completely interrupted, which we analyzed in section two, focusing on the European Union and Mercosur, two blocks that are inserted in the regions with the highest indicators of cases and deaths by the new coronavirus.

Within the European Union, it was possible to observe cohesion governance, which sought to mitigate the economic – and geopolitical – impacts of the pandemic, whose repercussions were also observed in migration, despite the closing of borders and the ban on the admission of people from outside the bloc, that have a specific article in the recovery plan proposed by the European Commission, as discussed in section three.

Despite these issues, the perspectives arising from this conjuncture show a worsening of internal social tensions and anti-immigration sentiments, as in Hungary, Poland, and Italy, represented, above all, in social and institutional xenophobia. Positive examples, such as those from Portugal and Denmark, which created mechanisms for regularization and assistance to immigrants and asylum seekers, are coordinated with the recovery agenda proposed by Germany and France for the post-pandemic, countries that have fully assumed the leadership of the bloc after the exiting of the United Kingdom months before the pandemic.

With regard to Mercosur, a bloc that has undergone an identity – and legitimacy – shift since 2019, section four presented a different scenario from that of the European Union, with the adoption of measures to mitigate the effects of the COVID-19 pandemic in an autonomously, independently way and practically without coordination with the other countries of the bloc. The inauguration of new governments in Argentina and Uruguay, coupled with the political instabilities of Paraguay and Brazil, served as a background for the pandemic and for the migrations in the bloc, such as of Venezuelans and Haitians.

As each Mercosur country adopted a different response to the pandemic, the effects on migration were also different in each country. Considering the foreign policies of Buenos Aires, Brasília, Asunción and Montevideo, we conclude that the migration issue has been diluted in the discussions of Mercosur, except for specific issues, such as the closure of borders and unprecedented actions, such as the agreements signed between the governor of Rio Grande do Sul and the president of Uruguay, in order to allow free movement of people between the Brazilian state and the neighboring country. In short, there is a kind of new regionalism within the bloc, which will demand further discussion and future research.

In summary, after this cyclical analysis of the effects of the COVID-19 pandemic on international migrations to the European Union and Mercosur, it was possible to infer different responses at community, national and subnational levels, as well as the adoption and implementation of different legal and regulatory mechanisms, which point, according to our conclusion, to different stages of institutionalization in the two blocs. In this way, we conclude that such effects will be perceived in a more cohesive and linear manner in the European Union, while in Mercosur they will be noticeably different in each of the bloc's countries. Broader considerations about the impacts of the pandemic on international mobility will only be possible with the end of the pandemic, which will take place, as noted, at different times in each region and country.

NOTAS

¹ The Schengen Area also involves countries that are not members of the EU: Iceland, Liechtenstein, Norway, and Switzerland. On the other hand, it does not include some member states of the bloc: Ireland, Bulgaria, Romania, Cyprus, and Croatia.

² The Bolivarian Republic of Venezuela has been suspended from all rights and obligations inherent to its condition as a State Party to Mercosur since August 2017, in accordance with the provisions of the second paragraph of Article 5 of the Ushuaia Protocol. (DECISÃO sobre a suspensão da Venezuela no MERCOSUL, 2017).

³ Among other crises, such as Brexit, for example.

⁴ It should be noted that it is difficult to compare Mercosur legislation with that of the European Union, since these are different legal systems. While in the South American bloc the legislation is formed by regional treaties, in the European bloc the legislation is formed mainly by Communitarian Law, in addition to some treaties. In Mercosur, the existing treaties address several issues (labor, social security, migration, etc.) in a more comprehensive way. On the other hand, in the European Union there is a legislative process within the scope of the European institutions, thus creating several Communitarian and supranational laws. As a result, the regulations are much more detailed, as this is a new legal system.

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ABSTRACT

The impacts of the COVID-19 pandemic, declared in March 2020 by the World Health Organization, were immediately felt by national economies and by actors of the International System. Global migration flows were immediately interrupted as a measure to mitigate the circulation of the new coronavirus and its contagion effects both in the Schengen Area and in the Mercosur countries. In this sense, this article analyzes and discusses the economic aspects, political measures and shifts in the migration policies of the European Union and Mercosur since the pandemic beginning. We present the preliminary results from a methodology of comparative studies, document analysis and qualitative research. Finally, the article discusses the outlooks of scenarios and migration policies in the two blocs in the post-pandemic.

Keywords: Global migration; COVID-19; Pandemic; European Union; Mercosur.

RESUMO

Os impactos da pandemia COVID-19, declarada em março de 2020 pela Organização Mundial da Saúde, foram imediatamente sentidos pelas economias nacionais e pelos atores do Sistema Internacional. Os fluxos migratórios globais foram imediatamente interrompidos como medida para mitigar a circulação do novo coronavírus e seus efeitos de contágio tanto no Espaço Schengen quanto nos países do Mercosul. Nesse sentido, este artigo analisa e discute os aspectos econômicos, as medidas políticas e as mudanças nas políticas migratórias da União Europeia e do Mercosul desde o início da pandemia. Apresentamos os resultados preliminares de uma metodologia de estudos comparativos, análise documental e pesquisa qualitativa. Por fim, o artigo discute as perspectivas de cenários e políticas de migração nos dois blocos na pós-pandemia.

Palavras-chave: Migração global; COVID-19; Pandemia; União Europeia; Mercosul.