



Habitat International Coalition – HIC

HIC – Housing and Land Rights Network (HIC-HLRN)

HIC – América Latina (HIC-AL)

Call for Urgent Solidarity Action

CHI-FEDN-010823

Stop eviction orders in San Antonio and Cartagena, Valparaíso Region, Chile.

Respond to the demands of five thousand families.

I. Threat of mass eviction and a law criminalizing the taking of land

On 23 June 2023, the Valparaíso Court of Appeals ordered the eviction of inhabitants occupying 254 hectares of the Bellavista Sector, where some four thousand families came to live since October 2019.

In August 2023, the same appellate court is analyzing the appeals that may affect the eviction of another thousand families in the Placilla Sector, another hill in the port city of San Antonio.

In both cases, the land is owned by large real estate groups—properties owned by four families—in the conurbation area between the cities of San Antonio, the largest port in Chile, and Cartagena, an old seaside resort; both cities in the Valparaíso Region, on the central coast of Chile, about a hundred kilometers west of Santiago (see figure 4. Map of the Valparaíso Region).

The ruling of the appellate court for the Bellavista Sector is based on the second appeal filed in January 2023 by those who identify themselves as the owners of the 254 hectares, the San Antonio Real Estate and Construction Company, because a previous lawsuit, in 2022, had been unresolved for the flagrancy period that the law defines as 12 hours. The eviction order has an execution period of four months, that is, by the end of October 2023.¹

In the case of the Placilla Sector, the appeal is filed by those who identify themselves as the owners of the occupied land, Inmobiliaria y Constructora Bellavista S.A. and the company Agrícola Alto Miramar Ltda.; appeal filed now on 10 August 2023 to pursue a permanent *flagrante delicto* claim against the inhabitants.²

These threats of mass eviction coincided with the parliamentary debate and, now (30 August 2023), the approval of a law against usurpation that “regulates the crimes of illegal occupation of properties, establishes new penalties and forms of commission and incorporates efficient mechanisms of restitution.” The “Anti-usurpation Law,” a.k.a, “Anti-taking Law,” or “Cursed Law”

¹ Court of Appeals of Valparaíso, Chamber Five, protection number, ROL N°1972–2023.

² Court of Appeals of Valparaíso, Chamber of Accounts, protection number, ROL N°21496–2023.

modifies the penal code to punish any encroachment with prison sentences.³ The government of President Gabriel Boric, without a parliamentary majority, tried to reduce the aggressiveness of the proposal by considering that the cases registered by the state until 2022 could not be subject to retroactive application of this law;. Now he would have to assume the political cost of vetoing this law to respond to the human rights of more than one hundred thousand families who currently live in camps, without the right to a safe place to live in peace and dignity.⁴

As Miguel Lawner, National Architecture Award laureate, has noted, “in its history as a republic, through governments of the left, center or right, Chile never considered to punish with jail families forced to settle in encampments, for lacking a housing option within the reach of their means.”⁵

In order to publicize these facts that mark the greatest setback in the right to adequate housing in Chile in 50 years, the context below identifies: (II) the families affected by the eviction orders; (III) institutional responsibilities; (IV) obligations to respect and protect the human right to adequate housing; (V) Actions already taken; (VI) what the inhabitants demand and (VII) what you can do, providing a draft solidarity letter that you can issue with the touch of a button.

Local coordinators of affected families in San Antonio and Cartagena—Agua Salada Macrocamp, Altos de Placilla Camp, Cerro Centinela Macrocamp, Cumbre de Placilla Encampment and Villa Las Loicas, Vista Hermosa Encampment—we come together, leaving differences aside, with the support of Habitat International Coalition (HIC), its Housing and Land Rights Network (HLRN) and Latin America regional office (HIC-AL) with winners of Chile’s National Human Rights Award, Elizabeth Andrade Huaringa, and the National Architecture Award, Miguel Lawner.



³ Regula los delitos de ocupaciones ilegales de inmuebles, fija nuevas penas y formas comisivas e incorpora mecanismos eficientes de restitución, Boletín 14015-25, 19 de enero de 2021, <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmiD=14588&prmBOLETIN=14015-25>.

⁴ Report of the Citizen Security Commission, enacted in the bill that regulates the crimes of illegal occupation of real estate, establishes new penalties and forms of commission and incorporates efficient restitution mechanisms, Bulletins Nos. 13,657–07 and 14,015–25 (S) consolidated, <https://www.camara.cl/cms/destacado/2023/08/09/aprueban-en-general-proyecto-que-sanciona-ocupaciones-ilegales/>.

⁵ Comment by Miguel Lawner on the present document.



Figure 1: View of the Centinela macrocamp on Cerro la Virgen, above the Port of San Antonio. Source: Jonathan Mancilla/*El Mercurio*, el 7 de julio de 2023.



agosto de 2019

mayo de 2023

Figure 2: Form of land occupation in the conurbation area between San Antonio and Cartagena. Source: Google Earth.

II. Families affected by the eviction order

The eviction orders in the two hills of San Antonio affect some five thousand families. Most are from the region. They say, “we have lived in precarious housing conditions and/or suffered abuse as tenants; necessity has led us to find our own housing solutions.”

These communities represent social sectors that do not have access to the housing supply, neither through the housing subsidy, nor through the market. They do not have access to social housing through the housing policy procedures for two reasons: San Antonio is a booming city due to the rapid growth of the port, the largest in the country,⁶ while the construction of social and affordable

⁶ The Port of San Antonio, Valparaíso Region, is the most important in Chile and one of the most important in the South Pacific, <https://www.dsv.com/es-mx/sobre-dsv/latam/dsv-chile/cities-ports-airports-most-important>.

housing does not correspond to the needs in the growing city. Two examples illustrate this deficit: the last social housing complexes, Mirador de San Antonio I and II delivered 256 units in 2019, but are currently uninhabited, and the Ministry of Housing and Urbanism has ordered their demolition. The other more-recent offer, from August 2023, provided 344 units in the Puesta del Sol complex. The other reason is that they are “insolvent” families, without the economic capacity to incur a mortgage debt and are, thereby, left out of the supply of homes aimed at the middle class.

According to the Fundación Techo Camp Registry, 77.9% of families chose to go to the vacant plots in the Valparaíso Region to meet the housing needs of independent families; 69.3% due to the very high cost of rentals.⁷

The land takeovers began to be organized in the course of 2019, with the installation of the first families between October and November of the same year, when the country was in a social upheaval. The greatest flow of arrivals at the plots occurred during the pandemic with application of the hygiene law.⁸ Since then, living conditions have improved due to the self-organization and management capacity in each encampment. Now, there are sewers and wells, and the houses have various extensions. The organizations built community services and neighbors set up stores. Figures 1 and 2 illustrate the process of occupation of the camps on Cerro Bellavista.

Table 1 shows the number of families affected by eviction orders, according to the 2022 Registry of the Ministry of Housing and Urban Development (MINVU), totaling 3,670 households distributed in seven camps. Figure 3 illustrates the location of the seven settlements, and the number of families registered in each one. However, as coordinators of local organizations that are presenting this urgent action, our estimates of the number of families affected are higher, counting more than 4,000 families in the hills of Bellavista and 1,300 in Placilla.

5 encampments in the Bellavista Hills		2,883 households
Vista Hermosa		789 hogares
Fuerza Guerrera		342
Aguas Saladas		688
Manuel Bulnes		231
Centinela		833
2 encampments in Placilla Hill		787 households
Alto Mirador / Altos de Placilla		560
Rol 9034-1 / Cumbres de Placilla		227

Table 1: Number of households in 7 camps affected by eviction orders in the Bellavista and Placilla sectors, San Antonio. Source: MINVU 2022 encampment registration.

⁷ Techo, “Catastro Nacional de Campamentos 2020-2021 de TECHO-Chile: Histórica alza de familias viviendo en campamentos,” 5 April 2021, <https://cl.techo.org/catastro-nacional-de-campamentos-2020-2021-de-techo-chile-historica-alza-de-familias-viviendo-en-campamentos/>.

⁸ The hygiene law, originated in the postulates of social medicine Johan Peter Franck, shows that infectious diseases are directly related to the conditions of overcrowding and misery of the popular classes. It has marked the history of social housing in Chile since the end of the 19th century and continues to be a cornerstone of urban law.

During the trials, even more so since the ruling of the appeal court, and now the new appeal, the inhabitants report that, in all the encampments, they suffer even more the anguish of insecurity of tenure, the fear of losing what we have achieved in years of self-construction to realize their right to adequate housing. They tell,

“We feel even more violated in the midst of the wave of misinformation, which complicates us by linking us with the sale of land or with the so-called VIP seizures, as well as in the debate of the ‘anti-squatters law,’ or ‘accursed law.’ We continue to empower ourselves as united organizations to stop the criminalization of access to urban land and housing. Our demands require the sustainable urban development of the San Antonio-Cartagena conurbation area and the port of San Antonio and its road accesses. We are willing to all the necessary negotiations to analyze and solve the different aspects of access to housing, the construction of the just city, as well as the protection of the public utility of the coastline for the good of all.”

The threat of eviction also affects the population of all the surrounding neighborhoods, where the levels of misinformation create greater fear, contention and threats, further hindering the possibility of negotiation among all the parties involved, as we detail in the following.

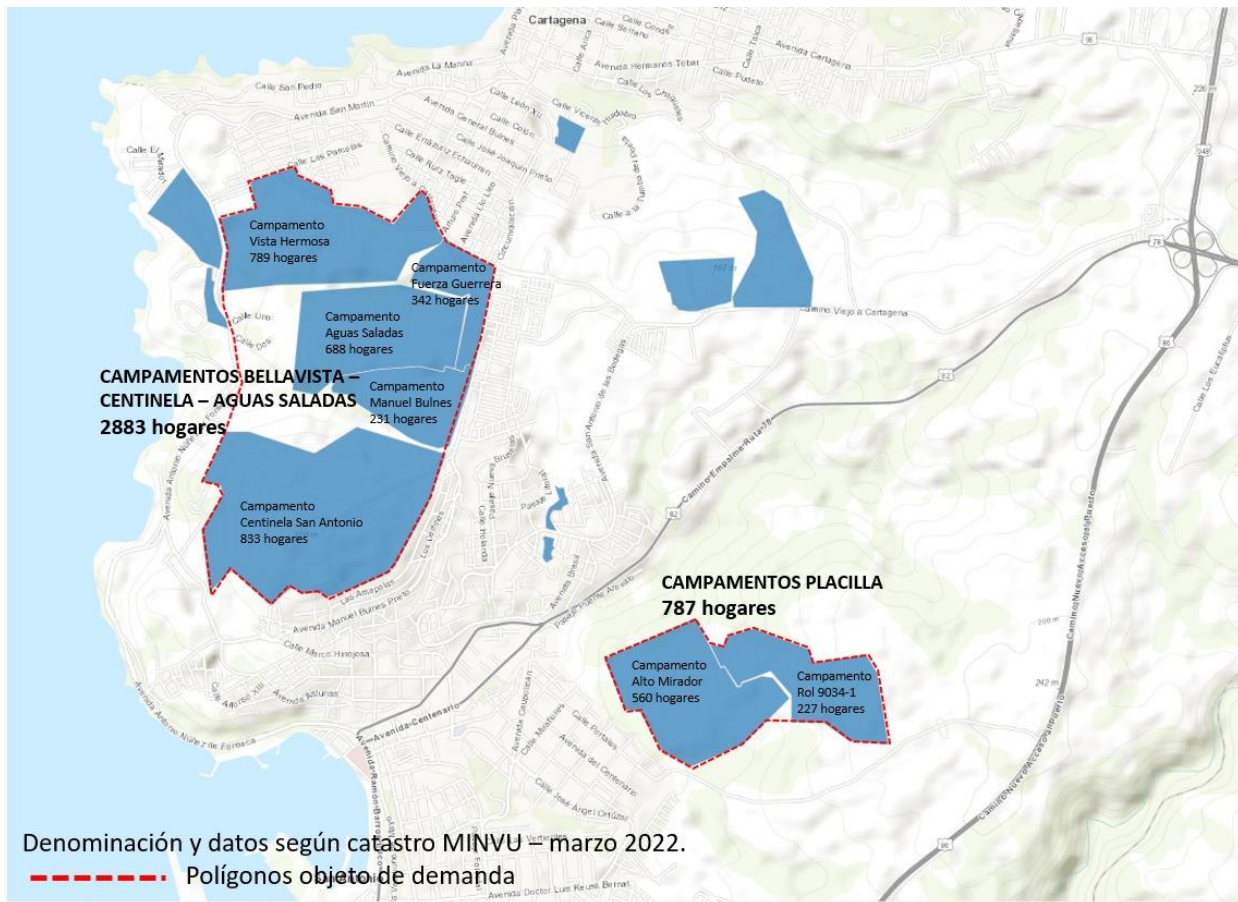


Figure 3: Location of the five camps and number of homes affected by eviction orders in San Antonio. Source: MINVU, 2022.

III. Institutional responsibilities in the face of the threat of forced eviction

The first eviction has been ordered by the Court of Appeals of Valparaíso on 23 June 2023 with execution to take place in four months, by the end of October. 50 years after the Civil and Military Coup, in the midst of the parliamentary debate on a law on the encroachment of real estate, we continue to face obstacles to get

all the institutional, social and business sectors that are part of the problems and the solutions to sit at a negotiating table.

The multiple social and political aspects of the background, the current situation and the conflict scenarios show the need for State intervention to plan the urban development. This requires the meeting among the city and the extension of San Antonio, the expansion of the port and the construction of the dry port, the roads, the environmental protection of the coastline, the patrimonial rescue of Cartagena and, above all, the dignity of the entire population, including those who had to opt for precariousness.

With this background, it is worth mentioning, among other issues, the housing emergency, with a progressive increase in the deficit of units and, at the same time, a greater concentration of properties in the hands of elite sectors; the absence of affordable housing, whether for ownership or rent, for the lower and lower-middle sectors. This could be remedied either through subsidies or the market, or the increase in households that choose to go live in an encampment, due to the logic of necessity, or to stop paying rent in order to cover the demands of food, health and education. We have the growth of the port, managed by the San Antonio Port Company (EPSA),⁹ in the absence of regional territorial planning to anticipate and build all related services, including new road access to the port that passes through the affected sector, that is, the 254 hectares subject to the threat of eviction in the Bellavista Sector.

Seven lots, which cover a large part of the Bellavista Sector, were in the process of being expropriated by the Ministry of Public Works (MOP), since part of the route of the future new northern access to the port of San Antonio passed through them. Inflating the value of the land due to the seizure by 20%, the MOP had even deposited the \$US1.2 billion it paid for the land, but in July 2022 the process came to an abrupt end, "given the impossibility of carrying out the clearance of resident-occupied land by the municipality." EPSA's Public Affairs Manager Carlos Mondaca admitted that this situation creates a "possible delay" in the new port access, but that "it has no impact on the project in any way."¹⁰

At the moment, it is worth mentioning that, in the last ten years, a million and a half Latin American migrants entered Chile, forming 7.5% of the total population. Although, in San Antonio, the presence of immigrants in the camps is minimal, public opinion tends to associate increasingly xenophobic positions with land seizures. An uncertain governance situation between, on the one hand, a government that assumes obligations to respect, protect and fulfill the human right to adequate housing, with a housing policy toward the establishment of camps, avoiding evictions; on the other, a legislature with a reactionary majority, staunchly defending the sacrosanct right to property without recognizing land's social and ecological functions.

Regarding the encampments, the Boric government program proposes: "We will prioritize a national, dignified and agile response to the encampments, prioritizing the installation of technical tables for dialogue with the communities, over evictions, putting human rights as the main attribute to adequate housing.

In this sense, the response to the threat of eviction requires immediate action by the State that calls for and mediates dialogue among the following actors:

- The Organizations of the Residents That Represent the San Antonio Camps;
- The neighborhood associations of the neighboring neighborhoods;

⁹ The San Antonio Port Company is in charge of the administration, conservation and development of the maritime-port activity of San Antonio. For more information, see <http://www.sanantonioport.cl/> y www.cmfchile.cl.

¹⁰ "Toma de terreno obstruye proyecto de un nuevo acceso norte al puerto de San Antonio," El Mercurio (30 de enero de 2023), <https://www.emol.com/noticias/Nacional/2023/01/30/1085306/toma-obstruye-proyecto-san-antonio.html>.

- The heritage organizations of Cartagena, especially the Barrio de La Estación;
- The Municipality of San Antonio;
- The Municipality of Cartagena;
- The Regional Government of Valparaíso;
- The Presidential Delegation in the Valparaíso Region;
- The Presidential Delegation in the Province of San Antonio;
- The Ministry of Social Development and Family (MIDESO);
- The Ministry of Housing and Urbanism (MINVU);
- The Ministry of Public Works (MOP);
- The Minister of the Interior;
- The Deputies of District 7;
- Real estate and construction companies; and
- Civil society organizations.



Figure 4: Map of the Valparaíso Region, with the cities of San Antonio and Cartagena in the southwestern part. Source: Slike 2023.

IV. Obligations to respect and protect the human right to adequate housing

Eviction threats make it necessary to prevent and stop a violation of human rights. A situation of forced eviction, regardless of the official reasons for which it must be carried out, requires the following steps: prior consultations with the resident communities; Your consent; due process; and protection against all types of abuse, including those of being homeless.¹¹

Any eviction situation has an impact on the fulfillment of rights related to the human right to adequate housing, such as the right to food, the right to water and sanitation, health, education and the rights to subsistence. Chile has the obligation to respect and protect the right to adequate housing, for having ratified the International Covenant on Economic, Social and Cultural Rights, ICESCR, on 27 September 1984.¹²

Evictions cannot leave anyone homeless or exposed to violations of other human rights. The State must adopt the necessary measures, to the greatest extent that its resources allow, so that other housing, resettlement is provided.

After examining the fourth periodic report of Chile in 2015, the Committee on Economic, Social and Cultural Rights (CESCR) recommended that the State of Chile review its social housing measures with a view to adopting a comprehensive strategy that:

- (a) Is based on the right of every individual to adequate and affordable housing, subject to clearly defined standards of quality and habitability;
- (b) Gives due priority to disadvantaged and marginalized groups and individuals living in encampments, informal settlements or uncertain and unfavorable conditions, and guarantees protection against forced evictions, ensuring adequate compensation or the option of adequate housing;
- (c) Does not lead to segregation or social exclusion on the grounds of people's social or economic situation, or any other grounds of discrimination prohibited by the Covenant;
- (d) Provides for resources that are proportionate to the unmet need for social housing and effective monitoring of the housing situation in the State party and an accountability framework for the implementation of policies and plans.¹³

In the current review of Chile's ESCR Committee, the Committee has specifically requested the State to provide information on the specific measures taken to prevent forced evictions and on the mechanisms in place to ensure that, if an eviction is necessary, it is carried out in full compliance

¹¹ General Comment No 7: right to adequate housing (Article 11, para. 1 of the Covenant): forced eviction, E/C.12/GC/7, 16 May 1997), paras. 15–16,

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=oWFyJlskRbPqOnWO01x2Y//1vKiRrBf/JuFCA3iXFG+pnKVHJSiWljnJxGg3blGP9sEP1KVJSEk+4FOa9E2lg==.

¹² International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

¹³ CESCR, Concluding Observations on the fourth periodic report of Chile, E/C.12/CHL/CO/4, 7 July 2015, para. 26, https://digitallibrary.un.org/record/832470/files/E_C.12_CHL_CO_4-EN.pdf?ln=en.

with international human rights standards, norms and principles of rights.¹⁴ Said periodic report is required by all the states party to the ICESCR.¹⁵

The current report from Chile states that eviction procedures, carried out by Carabineros,¹⁶ are in line with relevant national and international regulations. However, the conditions provided in that report do not meet the standards established for a legal eviction in General Comment No. 7.¹⁷

In addition to the ICESCR, Chile also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDaW) on January 6, 1990, and signed its Optional Protocol to CEDaW on December 10, 1999. CEDaW ensures that the State ensures that each woman enjoys “adequate living conditions, particularly in the areas of housing, sanitation, electricity and water supply, transportation and communications.”¹⁸ The Convention on the Rights of the Child, which Chile ratified on September 12, 1990, specifically requires States Parties to protect the right of children to adequate housing (article 27.3). The ICCPR prohibits cruel, inhuman and degrading treatment and/or punishment (article 7) and the arbitrary use of force (article 17).

For the purposes of the current Housing Emergency Plan (HEP), in a context of reduced capacity of state action and a growing aggressiveness of real estate speculators, it is appropriate to reconsider the essence of hygiene law and its legacy in urban law, to through, for example, the General Urban Planning and Construction Law (GUPCL) that details transparency instruments in the exercise of planning power.¹⁹

The implicit threats of forced eviction, especially now with the parliamentary adoption of the Anti-usurpation Law and the prison sentences imposed for all usurpation of land and real estate, are affecting all the communities living in the camp, totaling more than one hundred thousand families. Forced evictions constitute serious violations of human rights; directly and indirectly violate all civil, cultural, economic, political and social rights enshrined in the International Human Rights Treaties ratified by Chile.

The biggest problems with the Anti-usurpation Law reside in the articles related to the criminalization of situations of socioeconomic vulnerability, such as land seizure or encampment;

¹⁴ CESCR, List of issues prior to submission of the fifth periodic report of Chile, E/C.12/CHL/QPR/5, 9 April 2020, para. 18, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4sIQ6QSmIBEDzFEovLCuW%2BALqOml1btoJd4YxREVf2WVkmCTUCoPKE6QE0e3FTaKQCWkoo5soYvTWKGL%2F8PDYFnED9FQV3b%2BLXAOUT0ieYFPzXWXR%2FLjPSTVbgSD6fu>.

¹⁵ CESCR, Guidelines on Treaty-Specific Documents to Be Submitted by States Parties under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, E/C.12/2008/2, 24 March 2009, para. 54, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4sIQ6QSmIBEDzFEovLCuW1AVC1NkPsgUedPIF1vfPMK1p8f5MH%2BK5Dm7kafREVrGYDSsU%2B30JiSECW6s7w7dsfz8bCuqZlujP6uCLxfJuNklwRD06gxSWqNBMDdxpcsf>.

¹⁶ Pursuant to General Order No. 2635 of 1 March 2019

¹⁷ CESCR, Fifth periodic report submitted by Chile under articles 16 and 17 of the Covenant, due in 2021, received on 31 January 2022, E/C.12/CHL/5, 27 April 2022, para. 121, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4sIQ6QSmIBEDzFEovLCuW%2BALqOml1btoJd4YxREVf2Wby8thl4k82WmlFyIJWM9d8KEAeM3l8fwogaFRlAgQNPxp4ogtjoN4pkjdEdB7J8yibtEQV9AhEAfbsXLJdy7U>.

¹⁸ CEDaW, 18 December 1979, Article 14.2(h), <https://www.ohchr.org/es/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

¹⁹ GUPCL, Ley 21582, 7 July 2023, Article 28.10, Transparencia en el ejercicio de la potestad planificadora, <https://modulor.cl/iguc-de-la-planificacion-urbana-de-la-planificacion-urbana-en-particular/>.

the risks of violence related to the already approved self-defense; and the lack of regulation and control regarding the actions of the law enforcement and security authorities to proceed with the evictions.²⁰

V. Actions already taken

The actions carried out so far against the threatened evictions have included denunciations by organizations for the defense of human rights and the media (printed press, private radio and television, websites). The threatened population has formed an alliance and organized a negotiating committee to demand state intervention to guarantee their humane treatment.

As early as February 2023, Architects and Architects for a Chile with Dignity called attention to the political situation that is taking shape after the referendum rejecting the most recent draft of the new Constitution and the undemocratic process that has taken place.²¹

More recently, waves of residents have marched against the housing policy of the Boric government.²² In addition, the National Movement of Residents of Chile (NMRC) declared against the housing policy and the laws that are being discussed today in the national congress, which affect the majority of working resident families. In an open letter, they demanded that the corresponding State structures immediately stop any eviction order that may exist regarding camps and seek a concrete solution for their families. Since parliament has persisted with its irresponsible and anti-poor laws, NMRC demands that the president use his veto power to stop this law.

VI. We demand

With this background, the organizations of residents, representing the camps affected by eviction orders—Vista Hermosa, Fuerza Guerrera, Aguas Saladas, Manuel Bulnes and Centinela, Altos de Placilla and Cumbres de Placilla—of San Antonio, along with organizations that defend the rescue of cultural heritage and the environment in Cartagena, and the National Human Rights, Elizabeth Andrade Huaranga, and architecture, Miguel Lawner, we formulated a unified strategy to demand our rights by:

- Opening a real dialogue toward concrete solutions for the good of all;
- Stopping eviction orders, respecting and protecting the human right to adequate housing;
- Responding through the Housing Emergency Plan, PEH 2022–2025;
- Developing a direct line of communication to stop the wave of misinformation that affects us and further complicates the local and national problem;
- Planning the development of the port and its access, in balance with the requirements of coexistence and well-being of the entire population;

²⁰ Tatiana Torres Montenegro, “Desalojos forzosos en Chile con miras al Derecho Internacional de Derechos Humanos,” *Revista derecho* (Valdivia), Vol.32, No.1 (2019), https://www.scielo.cl/scielo.php?script=sci_arttext&pid=S0718-09502019000100193#B27.

²¹ Arquitectas y Arquitectos por un Chile Digno, “Sobre Acuerdo por Chile y Proceso Constituyente,” 20 February 2023, <https://arquitectxsporchiledigno.cl/sobre-acuerdo-por-chile-y-proceso-constituyente/>.

²² “Miles de pobladores marchan contra política de vivienda del gobierno de Boric,” *Werken Rojo* (10 August 2023), <https://werkenrojo.cl/miles-de-pobladores-marchan-contrapolitica-de-vivienda-del-gobierno-de-boric/>.

- Making effective the development of the San Antonio–Cartagena conurbation zone with territorial planning, through a master plan, with diverse housing solutions, generating nature protection areas, respecting biodiversity such as a park between both communities.

VII. What you can do

Join this call for responsible development and respect for the right to adequate housing by immediately sending your letter of solidarity to the addresses below by filling in the [Support form](#) on the [HLRN website](#).

Alternatively, you can see all HIC-HLRN Urgent Action cases at: <http://www.hlrn.org/english/cases.asp>, then click on [Support](#) for this case.

Each letter will be forwarded to the authorities listed below, also with a copy to: hic-al@hic-al.org; urgentactions@hlrn.org; desalojosanantonio@gmail.com

Letters will be directed to:

Gabriel Boric, **Presidente de la República de Chile**

A través de la Oficina de Gestión Ciudadana, La Moneda, Santiago, Chile

E-mail : aramirez@presidencia.cl

Rodrigo Mundaca, **Gobernador de la Región de Valparaíso**

E-mail: rodrigo.mundaca@gorevalparaiso.gob.cl

Sofía González, **Delegada Presidencial Región de Valparaíso**

E-mail: sgonzalez@interior.gob.cl

Caroline Sireau, **Delegada Provincial San Antonio,**

E-mail: csireau@interior.gob.cl

Carlos Montes, **Ministro de Vivienda y Urbanismo, Minvu, Santiago**

E-mail: cmontesc@minvu.cl

Jessica López Saffie, **Ministra de Obras Públicas, MOP, Santiago**

E-mail: jessica.lopez.saffie@mop.gob.cl

Javiera Toro Cáceres, **Ministra de Desarrollo Social y Familia, Mideso, Santiago**

E-mail: javieratorocaceres@gmail.com

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Luis Rodrigo García Tapia, **Alcalde de Cartagena**

Email: alcalde@cartagena-chile.cl

Sample letter to the authorities and main actors:

SP/EN

De nuestra consideración:

Hemos recibido información preocupante en relación con la amenaza de desalojo de más de cinco mil familias en el área de conurbanización entre las ciudades de San Antonio y Cartagena, Región de Valparaíso. Son amenazas que ponen en riesgo el cumplimiento del derecho humano a una vivienda adecuada, al cual el Estado de Chile está obligado por haber ratificado el Pacto Internacional de los Derechos Económicos, Sociales y Culturales (PIDESC) de las Naciones Unidas, además de otros instrumentos internacionales en la materia.

Es de extrema relevancia que el Estado tome cartas en el asunto, desarrollando a la brevedad los esfuerzos de coordinación y diálogo necesarios para responder a la complejidad territorial, urbana, habitacional, social, ambiental y cultural, relacionada a esta amenaza de desalojo forzoso.

Conforme al PIDESC y a las Observaciones Generales 4 y 7 en materia de derechos humanos a una vivienda adecuada y desalojos, es además obligación del Estado detener a tiempo los daños sociales, materiales y humanos implícitos en toda orden de desalojo.

En particular, solicitamos expresadamente:

- Abrir un diálogo real hacia soluciones concretas para el bien de todas y todos;
- Detener las órdenes de desalojo, respetando y protegiendo el derecho humano a una vivienda adecuada;
- Responder a través del Plan de Emergencia Habitacional, PEH 2022–2025;
- Desarrollar una línea de comunicación directa para detener la ola de desinformación que nos afecta y complica aún más el problema local y nacional;
- Planificar el desarrollo del puerto y sus accesos, en equilibrio con las exigencias de convivencia y buen vivir de toda la población;
- Hacer efectivo el desarrollo de la conurbanización San Antonio-Cartagena con un plan de ordenamiento territorial, mediante un plan maestro, con soluciones habitacionales diversas, generando zonas de resguardo de la naturaleza, respetando la biodiversidad, como un parque entre ambas comunas.

Exigimos el cumplimiento de las obligaciones del Estado ante la sociedad, en conformidad con los derechos humanos y las necesidades de la población, especialmente sus sectores más vulnerables.

Esperamos conocer sus buenos esfuerzos para lograr una solución socialmente equitativa a esta situación.

Atentamente,

[firma]

EN

Dear Ms./Mr. ____:

We have received worrying information regarding the threat of eviction of more than five thousand families in the conurbanization zone between the cities of San Antonio and Cartagena, Valparaíso Region. These are threats that jeopardize compliance with the human right to adequate housing, to which the State of Chile is bound by having ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) of the United Nations, in addition to other international instruments on the matter.

It is extremely important that the State take action on the matter, developing as soon as possible the necessary coordination and dialogue to respond to the territorial, urban, housing, social, environmental, and cultural complexity related to this threat of forced eviction.

In accordance with the ICESCR and its General Observations 4 and 7 on the human right to adequate housing and evictions, it is also the obligation of the State to stop in time the social, material and human damage implicit in any eviction order.

In particular, we expressly request to:

- Free more than five thousand families from the anguish related to the deprivation of their human right to adequate housing;
- Respond to demands based on the Housing Emergency Plan, PEH 2022–2025;
- Stop the wave of misinformation that further complicates the local and national problem;
- Provide the port with the necessary areas for its development and access in full respect of the coexistence requirements of the entire population;
- Balance the urban development of the San Antonio-Cartagena conurbanization zone, promoting a territorial plan with diverse housing solutions, generating nature-protection areas, respecting biodiversity such as a park between both communities;
- Facilitate the great opportunity to develop and maintain a sustainable and fair coastline.

We demand compliance with the State's obligations to society, in accordance with human rights and the needs of the population, especially its most vulnerable sectors.

We look forward to learning about your good efforts to bring about a socially equitable solution to this situation.

Sincerely,

[signature]