



GMS Flash Alert

Immigration Edition

2024-011 | January 12, 2024



Chile – New National Immigration Policy

The Chilean government published Decree N 181 in the Official Journal (*Diario Oficial*), which establishes the National Immigration Policy¹ (“the Policy”), giving it immediate application across the country. It contains the government’s strategy with respect to dealing with recent migratory developments in the Latin-American region, with the aim of fostering both national security and the well-being of migrants.

WHY THIS MATTERS

This Policy will shape the objectives and course of action of different government institutions dedicated in one way or another to immigration matters, this includes the National Immigration Service (SERMIG by its Spanish acronym), but also several other public entities.

The Policy will better align Chile’s laws and practices with the country’s constitution and international norms and agreements of an international nature to which Chile is a party.

It also aims to implement improvements to the management of immigration processes and to promote the regularization of immigrants with an irregular status in the country².

Furthermore, in order to continue these efforts to regularize migrants within Chilean territory, residency permits applied for from Chile will be more restricted, prioritizing applications initiated abroad for those who have a work contract with a Chilean company or will come to invest in Chile or work in economic sectors that may have domestic labor shortages.

In addition, Chile is also expected to have a new migratory subcategory for short- and long-term students, academics, and researchers.

Details

The general purpose of this National Immigration Policy is to introduce a new approach in respect of those public services that deal on a daily basis with migrant populations and immigration matters, taking into account human rights, interculturality, defense, gender, and other principles and concerns.

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Moreover, it is expected that the new approach will lead to much more controlled and secure immigration, and, as noted earlier, the regularization of migrants and their assured access to public services such as health, social security, education, and more.

This new approach will translate into **(i)** prioritizing residency applications for family reunification, especially for minors; **(ii)** creation of channels for public attention throughout the country (which have been discontinued since the beginning of the COVID-19 pandemic); **(iii)** promotion of improvements in immigration procedures and the modernization of information and processing systems for residence permit applications; **(iv)** implementation of an integrated management and information system with the National Migration Service and other public institutions, for the registration and processing of residence permit applications, plus the application of administrative sanctions and judicial appeals; **(v)** training for public agents in immigration matters; and **(vi)** generation of collaborative and coordinated actions with the United Nations System, for the development of instruments, mechanisms, programs, and initiatives related to international migration, among others.

This Policy will be applied across the entire country, thereby facilitating the regularization of migrants from all its regions by means of collaboration between regional governments, municipalities, and central government. Relevant services are expected to be available in an “inclusive” language both virtually and in person, taking into consideration non-Spanish speaking migrants.

The improvements proposed by the new Policy in respect of the management of migratory processes are expected to lead to a considerable reduction in the processing time for visa applications, better access to information, especially regarding actions taken in respect of immigration-related processes, and direct contact with the National Immigration Service of Chile to manage processes and address issues in an efficient and open manner.

Moreover, the Policy also seeks to encourage migration of highly-qualified foreign nationals to help foster economic development, with consideration of the current and changing needs of the different parts of Chilean territory.

KPMG INSIGHTS

The National Immigration Policy represents an important milestone for the country’s approach to immigration. It is hoped the new Policy will generate the perception in the international community of a country that seeks to meet high standards in terms of immigration policies and practices so as to more effectively offer security and stability to individuals who intend to visit or live in Chile, as well as foster a climate where companies are encouraged to invest and bring in professionals with different backgrounds and skills.

Nonetheless, even as the Policy begins to be implemented by the Chilean public entities, it is important to note that certain objectives contained in the body of this Policy are meant to be further discussed and authorized by legislative acts (both Congress and Senate).

FOOTNOTES:

1 Establishment of the National Immigration Policy. Library of the National Congress, Decree N°181 (2023, December 27th) / “Establece la Política Nacional de Migración y Extranjería,” *Decreto 181 (Publicación: 27-DIC-2023)*. [Link in Spanish](#).

2 National Migration Service (2023, July 6th). Preliminary Executive Version / *Servicio Nacional de Migraciones, “Gobierno de Chile presenta Nueva Política Nacional de Migración y Extranjería, Publicada: 6 julio, 2023.* [Link in Spanish](#).

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The information contained in this newsletter was submitted by the KPMG International member firm in Chile.

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