

Migration Law Project creates new Alien Civil Registration

Its goal is to modernize current legislation, providing a framework that guarantees the correct channeling of immigration with clear guidelines.

It considers the creation of an Alien Civil Registration which will be administered by the Undersecretary of the Ministry of Interior of Chile.

The project has four major components:

- Guiding principles
- Rights and Duties
- Regulations on entry, exit and migratory categories
- An administrative sanctioning procedure

It intends for people to avoid becoming victims of human trade and trafficking; protect the rights of the people who migrate to our country and establish a catalogue of obligations that must be fulfilled by them that go from requesting for permissions in accordance to law, giving trustworthy information and communicating their domicile to the authorities, all of which must be kept updated.

It also establishes a catalogue of legal conducts which prohibits the entry to our national territory. These consist on the use of false or adulterated documents, having an entry prohibition to our country or those who were convicted, have pending lawsuits or those who are fugitives for unlawful association, terrorism, illegal arms or drugs trafficking, money laundering or human trafficking, amongst others.

In case of infringement to the prohibition grounds for entering our territory, there are certain conducts that will allow the authorities to emit a decree of expulsion from the national territory such as breaching a prohibition of entering our country, submitting false declarations or documents, develop paid activities as a tourist without a work permit, amongst others.

Furthermore, it proposes a new regulation of the entry permits to our country. With this proposal, those who enter our territory must apply for a permit in accordance to the purpose of the travel, whether you enter as a tourist, a visitor, as a person with a temporary residence. When the legal requirements are fulfilled one could apply to a permanent residence.

This law project especially considers the protection of the rights of the children who enter our country, regardless of the situation or legal status of their parents.

It will create the Committee for Migratory Policy, formed by the Minister of Interior and Public Security, who will preside it, the Minister of Foreign Affairs, Minister of Finance, and the Minister of Justice and Human Rights, all of whom could invite other Ministers if the circumstances and matters require so.

This project aims to have in these matters an agile and flexible legislation capable of adapting in time to a reality that is in constant evolution and change.