

**No. 10029**

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**NETHERLANDS  
and  
CHILE**

**Agreement concerning migration. Signed at Santiago de Chile  
on 28 May 1962**

*Authentic texts: Dutch and Spanish.*

*Registered by the Netherlands on 17 November 1969.*

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**PAYS-BAS  
et  
CHILI**

**Accord relatif aux migrations. Signé à Santiago du Chili le  
28 mai 1962**

*Textes authentiques: néerlandais et espagnol.*

*Enregistré par les Pays-Bas le 17 novembre 1969.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE  
KINGDOM OF THE NETHERLANDS AND THE  
GOVERNMENT OF THE REPUBLIC OF CHILE CON-  
CERNING MIGRATION

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The Government of the Kingdom of the Netherlands, hereinafter referred to as “ the Netherlands Government ”, and the Government of the Republic of Chile, hereinafter referred to as “ the Chilean Government ”,

Considering,

That both countries are interested in encouraging the migration of Netherlands nationals to Chile,

That it would be useful and advisable for such migration to proceed through appropriate channels and without jeopardizing national interests,

Have decided to sign an Agreement concerning migration, which reads as follows :

*Article 1*

Netherlands migration to Chile shall proceed in accordance with the terms of this Agreement and the legislative provisions in force in both countries.

*Article 2*

Migration shall proceed with due regard to interest being shown in emigration in the Netherlands and the manpower requirements and opportunities for independent settlement in Chile. The migration shall not be subject to any quantitative restrictions.

*Article 3*

The following categories of persons and their families shall be considered for emigration :

(a) Farmers, cattle-farmers, field workers in general and agricultural technicians who wish to settle independently, work as tenant farmers or earn a living in any manner by working the land;

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<sup>1</sup> Came into force on 30 July 1968, the day by which the Government of Chile had received a communication from the Government of the Netherlands confirming that the approval required in that country had been obtained, and the legal requirements in effect in Chile had been fulfilled, in accordance with article 18.

- (b) Technicians, artisans, specialists and experts in various professions, particularly in the animal husbandry and milk industries;
- (c) Agricultural collectives and industrial entrepreneurs;
- (d) Other categories, as decided pursuant to article 15.

#### *Article 4*

Subject to such rules as may be agreed upon in accordance with article 15, the Netherlands Emigration Service shall collect all the information concerning the applicants for migration to Chile registered with it that may be required to enable the Consul-General of Chile in the Netherlands to process their requests. The Service shall transmit this information to the Consul-General after checking it as far as possible.

#### *Article 5*

The Consul-General of Chile in the Netherlands, after reviewing the information referred to in the preceding articles, shall transmit it to the Chilean Government and shall request the latter to forward the corresponding immigration visas in accordance with Legislative Decree No. 69, promulgated by the Chilean Government in 1953.

The lists of all equipment and personal effects accompanying the migrants shall be subject to the treatment referred to in the first paragraph of this article. The Consul-General of Chile shall inform the Netherlands Emigration Service of its decisions.

#### *Article 6*

The Netherlands Government shall make every effort to give migrants, before they leave for Chile, an elementary knowledge of the language, history and geography of Chile and of general living conditions there. The Chilean Government, for its part, shall do all it can to provide the material required for this instruction.

#### *Article 7*

The representative of the Netherlands Emigration Commissioner in Chile shall be responsible for receiving migrants upon their arrival in Chile, placing them in their future employment and, if necessary, reassigning them, helping them to find adequate housing and assisting them during the initial period. So far as possible, this representative shall perform his functions with the agreement of and in co-operation with the competent Chilean authorities, the Intergovernmental Committee for European Migration and Chilean social and religious

institutions concerned with migration. With regard to reception, migrants shall be entitled to use the reception centres operated under the auspices of the Chilean Government.

*Article 8*

All the costs of services connected with migration incurred prior to departure from the Netherlands shall be borne by the migrants or the Netherlands Government.

*Article 9*

The cost of transporting the migrants and their belongings from the Netherlands to Chile shall, as a rule, be borne by the migrants themselves. Should the Netherlands Government extend financial assistance for that purpose, in accordance with the provisions in force in the Netherlands, the Chilean Government shall pay a share in the manner ultimately to be determined in accordance with article 15.

*Article 10*

The cost of transporting migrants and their belongings from the port of disembarkation or initial point of entry into Chile to their destination shall be borne by the Chilean Government, but payment in respect of belongings shall be limited to personal effects and tools.

*Article 11*

In accordance with the Decree referred to in article 5, the personal effects, furniture, household articles, capital goods, livestock, etc. accompanying migrants shall be exempt from import duties, storage fees and any other charges levied by Customs, in the manner prescribed in the Decree.

*Article 12*

Migrants shall be entitled freely to import their capital into Chile, provided that it is not Chilean currency.

Migrants who import capital with the intention of re-exporting it and the interest it bears abroad, shall be subject to Legislative Decree No. 258 of 30 March 1960, which lays down the relevant regulations.

*Article 13*

The Chilean Government shall make every effort to encourage the integration of Netherlands migrants into Chilean society on an equal footing with Chilean citizens. In particular, the social welfare benefits currently enjoyed by Chilean citizens shall be available to Netherlands migrants, provided that the relevant regulations do not specifically debar them.

*Article 14*

The following provisions shall apply to migrants settling in Chile as independent entrepreneurs :

(a) Netherlands migrants shall enjoy the same rights as those vesting in Chilean citizens as regards the granting of agricultural and industrial credit by Chilean State institutions.

(b) Where a migrant who has been satisfactorily integrated into Chile's economy for several years wishes to transfer from the Netherlands such capital and property intended for his enterprise as he may have left in the Netherlands, the Chilean Government shall—provided that the property is included in the lists specified in article 5—endeavour to find the most suitable means of facilitating the transfer as far as possible, in keeping with the laws and regulations then in force, and shall make a special effort to introduce new provisions in order to assist migrants in such specific cases.

(c) In the case of settlement by a group of farmers or the establishment of an industrial enterprise, arrangements may be made in the manner prescribed in article 15 for the financing of such enterprises, sharing in the costs of transporting capital goods and livestock and other facilities which may be considered in any given case.

*Article 15*

The Netherlands Minister for Social Affairs and Public Health and the Minister for Foreign Affairs of Chile or the officials authorized by them may agree on any arrangements which may be necessary to facilitate migration from the Netherlands to Chile.

*Article 16*

This Agreement shall apply only to the part of the Kingdom of the Netherlands situated in Europe.

*Article 17*

This Agreement may be referred to as the Netherlands-Chilean Agreement on Migration.

*Article 18*

After receiving in the Netherlands the approval required by the Constitution, this Agreement shall enter into force on the date on which the Chilean Government receives a communication to that effect from the Netherlands Government and once the requirements prescribed by the legislative provisions then in force in Chile have been fulfilled.

Each High Contracting Party may denounce this Agreement upon one year's notice.

IN FAITH WHEREOF the undersigned, duly authorized for the purpose, have signed this Agreement.

DONE at Santiago, Chile, in duplicate on 28 May 1962, in the Dutch and Spanish languages, both texts being equally authentic.

For the Government of the Kingdom of the Netherlands :  
J. L. VOÛTE

For the Government of the Republic of Chile :  
Carlos MARTÍNEZ SOTOMAYOR

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