



# Global Immigration alert

September 2024

## Argentina

### Temporary regulation allowing Venezuelan nationals to regularize their stay in Argentina

#### Executive summary

On 16 September 2024, Argentina implemented a new temporary regulation that aims to support Venezuelan nationals with regularizing their residence status in the country. The regulation will remain in force for 90 days initially and may be extended.

#### Key developments

Regulation 388/2024 was introduced in response to the significant increase in the number of Venezuelan nationals who have entered Argentina since 2016. It was implemented after the indefinite [closure](#) of the Venezuelan consulate in Argentina.

The regulation impacts Venezuelan nationals who are currently outside Argentina and seek to enter and reside in the country, those who are currently in Argentina unlawfully (i.e., without valid Argentinian documents), as well as those who are in Argentina lawfully and need to extend their authorization but hold expired Venezuelan identification documents (e.g., passports, identity cards). These individuals may apply to acquire lawful immigration status (i.e., temporary or permanent residence) in Argentina or extend their current lawful status.

To do so, they must schedule an appointment with the National Directorate of Migration and present any of the following documents:

- ▶ A Venezuelan identification document that is currently valid or expired no more than 10 years prior to the application date (up from two years previously).

- ▶ Birth certificates (including non-legalized ones) if they are under the age of 18, for both temporary and permanent residence applications. Under the previous rules, non-legalized birth certificates were accepted only in support of temporary residence applications.
- ▶ A relevant sworn statement if they do not hold any of the above documents, provided they entered the country lawfully and are registered in the National Directorate's database.

Venezuelan nationals who submitted temporary or permanent residence applications before 16 September 2024 and are still awaiting a decision may request for their applications to be processed under the new, simplified regulation. While it remains in force, individuals who have submitted applications under this new regulation may remain in Argentina and will not be ordered to leave, regardless of their current immigration status.

Venezuelan nationals who apply for refugee status under the National Commission for Refugees (CONARE) or enter the country unlawfully on or after 16 September 2024 are not eligible to apply under the new regulation.

#### Impact on employers

The new regulation is expected to benefit Argentinian employers by providing them access to Venezuelan nationals who were present in Argentina unlawfully, and enabling them to retain existing employees whose Venezuelan documents have expired or are set to expire soon.

## Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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