

Migration Policies in Argentina 2017-2019

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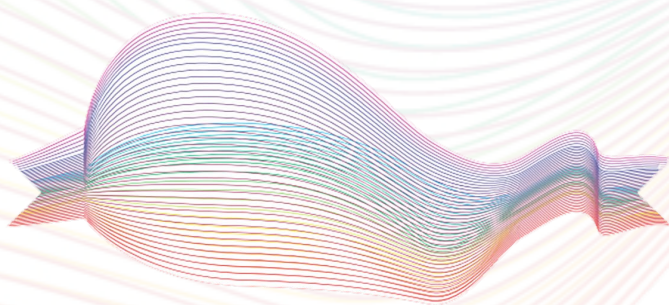
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IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

Argentina

2017-2019

Coordinated by:


Luicy Pedroza
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January 2022

G I G A

German Institute for Global and Area Studies
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Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

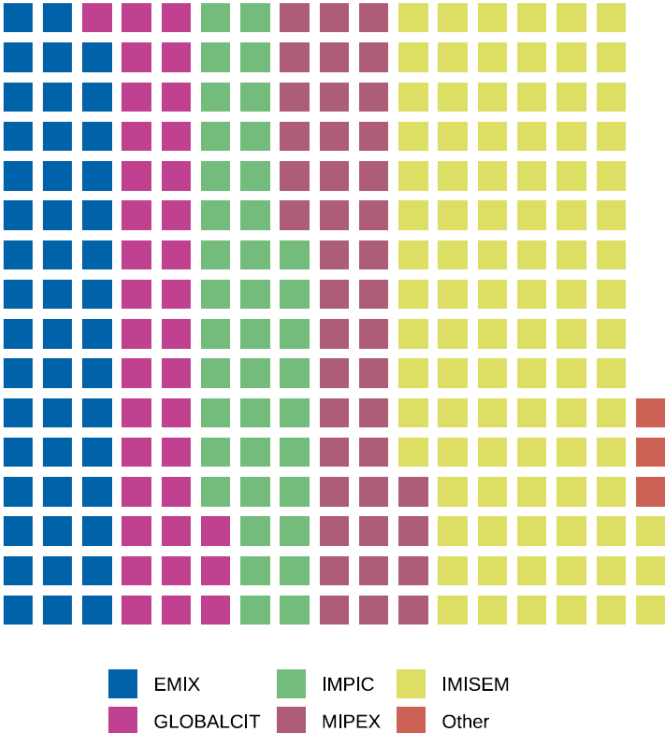
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

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1. Emigration policies

1.1. General

EMIGRATION_1: The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: It is not punishable by law since there are policies that regulate the emigration and bilateral conventions that support emigration.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: No such provision

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: No such provision

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: No provision in the emigration regulation. Thus, it is assumed that there are not restrictions in this matter of maximum length of days.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 950

Code: 950

Explanation: Not applicable

Sources: Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 34.7

Code: 34.7

Explanation: Not applicable

Sources: Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: 15 days the normal procedure takes 15 days. However, there is also the possibility of making the procedure in the airport and getting it right away. Additionally, there is an express option allows to get the passport in 48 to 96 hours. The cost for the express option is 2100 Argentinean pesos -76,71\$ USD Dollar

Sources: Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

Maximum length of procedure to process passport (in days):

Answer: 15

Code: 15

Explanation: The normal procedure takes 15 days. However, it is also possible to process it at the airport and get it right away. Additionally, there is an express option allows to get the passport in 48 to 96 hours. The cost for the express option is 2100 Argentinean pesos -76,71\$ USD Dollar as of March 2018.

Sources: Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: The normal procedure takes 15 days. However, it is also possible to process it at the airport and get it right away. Additionally, there is an express option allows to get the passport in 48 to 96 hours. The cost for the express option is 2100 Argentinean pesos -76,71\$ USD Dollar as of March 2018.

Sources: Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: Renewal of passport it is possible abroad through the consulates, it has a validity of 10 years and costs 165 Euros/ USD. Art. 10. Decree 261/2011 - Argentine passports processed abroad at the Consular Representations of the Argentine Republic have the same characteristics as the passports mentioned in Title I and a validity of 10 years.

Sources: Decreto N° 261/2011 [Decree 261/2011]. 2011./ Argentina.gob.ar. "Tramitar el pasaporte [Passport Processing]". Accessed March 13, 2018. <https://www.argentina.gob.ar/tramitar-el-pasaporte>.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: No, there is no provision in the emigration regulation about the local police certificate as necessary to emigrate. Mostly DNI (document of national identification) and passport are enough.

Sources: Argentina.gob.ar. "Ingreso y egreso al país [Entry and Exit to the Country]". Accessed July 26, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?doc_pais.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: No

Code: 1

Explanation: No, there is no provision in the emigration regulation about a superior/employer's permission necessary to emigrate as necessary to emigrate. Mostly DNI (document of national identification) and passport are enough.

Sources: Argentina.gob.ar. "Ingreso y egreso al país [Entry and Exit to the Country]". Accessed July 26, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?doc_pais.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: No, there is no provision in the emigration regulation about a proof of income necessary to emigrate. Mostly DNI (national document of national identification) and passport are enough.

Sources: Argentina.gob.ar. "Ingreso y egreso al país [Entry and Exit to the Country]". Accessed July 26, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?doc_pais.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: No, there is no provision in the emigration law about mandatory registration abroad. However, for different documentation procedures or to be included automatically in the voting register, it is recommended to specify the address abroad in the DNI.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: No, quotas to emigrate do not exist. There is no provision in the emigration regulation about quotas based on ethnicity to emigrate.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: No such provision exists

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: Not applicable (no military conscription in country of study)

Code: Not applicable

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24.429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve

the army or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: No, there is no list of banned destinations and no provision in the emigration regulation about a list of banned destinations for citizens willing to emigrate.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education "tax" (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: There is no provision in the emigration regulation about an education tax on emigration.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Argentina.gov.ar. "Ministerio de Educación [Ministry of Education]". Access date not available. <https://www.argentina.gov.ar/educacion>.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: Yes

Code: 0

Explanation: In the cases of Germany, Spain, United States, for example, the requirement for obtaining the scholarship is to commit to return to the country at the end of the stay and to reintegrate into their specific activities at the sponsoring university.

Sources: Argentina.gob.ar. "Becas internacionales argentinos en el exterior [International Scholarships Argentines Abroad]". Accessed November 14, 2017.
<https://www.argentina.gob.ar/educacion/becas-internacionales/argentinos-en-el-exterior>.

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: No such provision

Sources: Ley N° 25.871 [Law 25.871]. 2013.

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: There are no records or evidence about information campaigns that encouraged emigration in 2017-2018.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / Argentina.gob.arg. "Medios y Comunicación Pública [Media and Public Communication]". Accessed March 2018. <https://www.deepl.com/en/translator#es/en/Medios%20y%20Comunicaci%C3%B3n%20P%C3%ABlica>.

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: There are no records or evidence about information campaigns that discouraged emigration in 2017-2018.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / Argentina.gob.arg. "Medios y Comunicación Pública [Media and Public Communication]". Accessed March 2018. <https://www.deepl.com/en/translator#es/en/Medios%20y%20Comunicaci%C3%B3n%20P%C3%ABlica>.

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: No

Code: 0

Explanation: There is no provision in the emigration regulation about recognition and authorization of emigration brokers. It is assumed that the National Direction of Migrations- (Dirección Nacional de Migraciones) is the only one that regulates/facilitates/coordinates emigration matters.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: No such provision

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: No

Code: 0

Explanation: There is no provision in the regulation on whether Argentines who emigrate can withdraw unemployment benefits in a single transfer.

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 112 -132.

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: No such provision was found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: No such provision was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: No such ban was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Re-entry ban applies after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: No such ban was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: No such ban was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: No such provision was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: According to Art. 107 of Law 25.871, the National Direction of Migrations has the competence for admission, granting of residences and their extension, in the national territory and abroad, being able to establish new delegations for this purpose, with the purpose of granting income permits and extensions of permanence and changes of qualification for foreigners. It shall also control the entry and exit of persons into the country and shall exercise control over the stay and police power of foreigners throughout the territory of the Republic.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 107.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: Dirección Nacional de Migraciones

Name of the institution with competencies for exit and/or emigration in English:

Answer: National Direction of Migrations

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration.

Code: 0.75

Explanation: It falls under the Ministry of the Interior, Public Works, and Housing.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: No

Code: 0

Explanation: Art. 12 of the Law N° 19.945 established the duty to vote: “Every voter has the duty to vote in the national election held in his or her district. They are exempt from this obligation: (...) b) Those who on the day of the election are more than five hundred (500) kilometers from the place where they must vote and justify that the distance is due to reasonable grounds”. Art. 8 of the Decree 403/2017 further stipulates that voting by voters residing abroad is optional.

Sources: Ley N° 19.945 [Law 19.945]. 1983. Art. 12. / Decreto Reglamentario N° 403/2017 [Regulatory Decree 403/5217]. 2017. Art. 8.

Does the country have presidential elections?

Answer: Yes

Code: 1

Does the country have a bicameral system (e.g. composed of a Lower House and an Upper House, or an originating chamber and a reviewer chamber)?

Answer: Yes

Code: 1

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Generally enfranchised

Code: 1

Explanation: Art. 1 of the National Electoral Code [Codigo Electoral Nacional] establishes that “Voters are native Argentines and by option, from the age of sixteen (16) years, and naturalized Argentines, from the age of eighteen (18) years, who do not have any of the disqualifications provided for in this law.”

Further, the Guía Voto Argentino en el Exterior specifies the requirements to vote from abroad: “Be a native Argentinean or Argentinean by choice and be 16 years of age or older on October 22, 2017, or be naturalized Argentine citizen over 18 years of age. Have the domicile in the territory of the jurisdiction recorded on the identity document the corresponding consular office.”

Sources: Código Electoral Nacional [National Electoral Code]. 1954 (Modified). Art. 1. / Argentina.gob.ar. “Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]”. Accessed August 15, 2018.<https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Generally disenfranchised.

Code: 0

Explanation: Art. 89 of the Constitution specifies that “To be elected President or Vice President of the Nation, it is required to have been born in the Argentine territory, or to be the child of a native citizen, having been born in a foreign country; and the other qualities required to be elected Senator”. In turn, Art. 55 of the Constitution specifies that the requirements to be elected senator are: “to be thirty years old, to have been a citizen of the Nation for six years, to enjoy an annual income of two thousand pesos strong or an equivalent income, and to be a native of the province that elects him, or with two years of immediate residence in it.”

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55 and 89.

Legislative elections

Lower House (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (Lower House) from abroad?

Answer: 1

Code: 1

Explanation: Yes. Art. 1 of the National Electoral Code [Codigo Electoral Nacional] establishes that “Voters are native Argentines and by option, from the age of sixteen (16) years, and naturalized Argentines, from the age of eighteen (18) years, who do not have any of the disqualifications provided for in this law.”

Further, the Guía Voto Argentino en el Exterior specifies the requirements to vote from abroad: “Be a native Argentinean or Argentinean by choice and be 16 years of age or older on October 22, 2017, or be naturalized Argentine citizen over 18 years of age. Have the domicile in the territory of the jurisdiction recorded on the identity document the corresponding consular office.

Sources: Código Electoral Nacional [National Electoral Code]. 1954 (Modified). Art. 1. / Argentina.gob.ar. “Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]”. Accessed August 15, 2018. <https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (Lower House) from abroad?

Answer: Generally disenfranchised.

Code: 0

Explanation: Art. 48 of the Constitution specifies that to be a deputy, it is required to be at least twenty-five years of age, have four years of active citizenship, and be a native of the province that elects the candidate, or have two years of immediate residence in it.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 48.

Upper House (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (Upper House) from abroad?

Answer: 1

Code: 1

Explanation: Yes. Art. 1 of the National Electoral Code [Codigo Electoral Nacional] establishes that "Voters are native Argentines and by option, from the age of sixteen (16) years, and naturalized Argentines, from the age of eighteen (18) years, who do not have any of the disqualifications provided for in this law." Further, the Guía Voto Argentino en el Exterior specifies the requirements to vote from abroad: "Be a native Argentine or Argentine by choice and be 16 years of age or older on October 22, 2017, or be naturalized Argentine citizen over 18 years of age. Have the domicile in the territory of the jurisdiction recorded on the identity document the corresponding consular office.

Sources: Código Electoral Nacional [National Electoral Code]. 1954 (Modified). Art. 1. / Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018. <https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (Upper House) from abroad?

Answer: Generally disenfranchised

Code: 0

Explanation: No. Art. 55 of the Constitution specifies that the requirements to be elected senator are: to be thirty years old, to have been a citizen of the Nation for six years, to enjoy an annual income of two thousand pesos strong or an equivalent income, and to be a native of the province that elects him/her, or with two years of immediate residence in it.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55.

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Active registration, once-off

Code: 0.67

Explanation: Not applicable

Sources: Decreto N° 403/2017 [Decree 403/2017]. 2017.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: No

Code: 0

Explanation: The methods available for voting from abroad are: embassies and consulates, special polling stations.

Sources: Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018.<https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

Voting methods available to cast votes from abroad - Proxy voting:

Answer: No

Code: 0

Explanation:
The methods available for voting from abroad are: embassies and consulates, special polling stations.

Sources: Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018.<https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

Voting methods available to cast votes from abroad - Postal voting:

Answer: No

Code: 0

Explanation: The methods available for voting from abroad are: embassies and consulates, special polling stations.

Sources: Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018.<https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Yes

Code: 1

Explanation: The methods available for voting from abroad are: embassies and consulates, special polling stations.

Sources: Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018. <https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Yes

Code: 1

Explanation: The methods available for voting from abroad are: embassies and consulates, special polling stations.

Sources: Argentina.gob.ar. "Guía para argentinos residentes en el exterior elecciones 2017 [Guide for Argentines Residing Abroad Elections 2017]". Accessed August 15, 2018. <https://www.argentina.gob.ar/sites/default/files/guia-voto-exterior.pdf>.

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Lower House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Upper House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: yes

Code:

Explanation: Overseas voting is prevalent. In 2017 a total of 14,006 voted in 135 representations of the country abroad, marking a trend that doubled the number of attendees in the presidential elections of 2015 (10,870), and tripled in relation to the legislative elections of 2013 (3,790). In addition, the presidential ballotage was well over 10,676 voters in 2015. Participation in the October elections became the highest historical mark since 1993, the year in which voting from abroad was permitted. In 2019 President, Vice President, Deputies and Senators will be elected.

Sources: Argentina.gob.ar. "Votá desde el exterior [Vote from Abroad]". Accessed April 7, 2017. <https://www.argentina.gob.ar/argentinosenelmundo/vota-desde-el-exterior>.

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties are legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: There is no provision in the organic law of political parties about the permission or prohibition of party offices abroad.

Sources: Ley N° 23.298 [Law 23.298]. 1985.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: No

Code: 0

Explanation: No such offices found to exist.

Sources: Juntos por el Cambio. "Juntos por el Cambio [Together for Change]". Accessed 2017. <https://jxc.com.ar/>. / Unidad Ciudadana. "Unidad Ciudadana [Citizen's Unity]". Accessed 2017. <http://www.unidadciudadana.org/>.

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: No specific regulation

Code: 0.5

Explanation: There is no provision in the regulation about public funding for political party offices in the state of reception.

Sources: Not applicable

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: No specific provisions on this were found.

Sources: Ley N° 23.298 [Law 23.298]. 1985. / Ley N° 26.215 [Law 26.215]. 2007.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: No

Code: 0

Explanation: For the 2017 elections there was a general (government led) campaign to encourage the emigrants to vote from abroad because it was the first time they could vote without having to undergo an extra process of registration for this purpose as compared to Argentines resident in Argentina. However, no records were found for specific campaigns of political parties.

Sources: Argentina.gob.ar. "Votá desde el exterior [Vote from Abroad]". Accessed April 7, 2017. <https://www.argentina.gob.ar/argentinosenelmundo/vota-desde-el-exterior>.

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: No mention to public funding for campaigns abroad in main electoral regulations.

Code: 0.5

Explanation: Argentine parties are entitled to public funding. This money should be spent on institutional development, political education, and political campaigns. Given that the law on party funding does not explicitly mention external parties, we assume they would also be entitled to public funding, provided this money is spent on the activities outlined above. Art. 5 of Law 26.215 states, on public financing, that "The State contributes to the normal functioning of the recognized political parties under the conditions established in this law. With such contributions the political parties will be able to carry out the following activities: a) Institutional development; b) Political training and education; c) Primary and general election campaigns. Institutional development is understood as all political, institutional, and administrative activities derived from compliance with Law 23.298, the present law and the party charter, as well as the updating, systematization and dissemination of doctrine at the national or international level".

Sources: Ley N° 26.215 [Law 26.215]. 2007.

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Not legally allowed

Code: 0

Explanation: There are restrictions to membership. As specified by Art. 19 of Law 23.298, "Parties must constitute legal domicile in the capital city corresponding to the district in which they request the recognition of their legal-political personality. They must also report the central and local party addresses." Furthermore, Art. 23 of the same Law specifies that "To join a party it is required to: a) Be registered in the electoral under-registration of the district in which the affiliation is requested; (...)"

Sources: Ley 23.298 N° [Law 23.298]. 1985. Art. 19 and 23.

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: No

Code: 0

Explanation: No such consultative body was found to exist.

Sources: Not applicable

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_23. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_24. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: No

Code: 0

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_30. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_31. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: No

Code: 0

Explanation: No such support was found to exist.

Sources: Embajada en Alemania. "Funciones de los consulados argentinos en el exterior [Functions of Argentine Consulates Abroad]". Accessed July 17, 2018. <http://ealem.mrecic.gov.ar/es/funciones-de-los-consulados-argentinos-en-el-exterior>.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: Yes

Code: 1

Explanation: The name of the program/strategy is called "Cuenta Provincia Ahorro 25" and allows emigrants to open a bank account at the Banco Provincia de Buenos Aires. The emigrant is expected to be the account holder and the relatives in Argentina are supposed to become co-holders, as the

main goal of this program is to receive transfers from Argentines abroad for the support of the family. The Ministry of Foreign Affairs oversees this program.

Sources: Consulado General en Rio de Janeiro. "Ciudadanos argentinos en el exterior - Cuenta provincia ahorro 25 [Argentine Citizens Abroad - Province Savings Account 25]". Accessed July 11, 2018. <http://crioj.cancilleria.gov.ar/es/content/ciudadanos-argentinos-en-el-exterior-cuenta-provincia-ahorro-25>.

Measures to improve banking channels for remittances:

Answer: Yes

Code: 1

Explanation: The name of the program/strategy is called "Cuenta Provincia Ahorro 25" and allows emigrants to open a bank account at the Banco Provincia de Buenos Aires. The emigrant is expected to be the account holder and the relatives in Argentina are supposed to become co-holders, as the main goal of this program is to receive transfers from Argentines abroad for the support of the family. The Ministry of Foreign Affairs oversees this program.

Sources: This information is based on EMIX and has been updated. Consulado General en Rio de Janeiro. "Ciudadanos argentinos en el exterior - Cuenta provincia ahorro 25 [Argentine Citizens Abroad - Province Savings Account 25]". Accessed July 11, 2018. <http://crioj.cancilleria.gov.ar/es/content/ciudadanos-argentinos-en-el-exterior-cuenta-provincia-ahorro-25>.

Existence of fee controls for remittances:

Answer: No

Code: 0

Explanation: No such controls were found to exist.

Sources: This information is based on EMIX and has been updated.

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: No

Code: 0

Explanation: Cuenta Provincia Ahorro 25 concerns family savings, but not co-development with the state.

Sources: Consulado General en Rio de Janeiro. "Ciudadanos argentinos en el exterior - Cuenta provincia ahorro 25 [Argentine Citizens Abroad - Province Savings Account 25]". Accessed July 11, 2018. <http://crioj.cancilleria.gov.ar/es/content/ciudadanos-argentinos-en-el-exterior-cuenta-provincia-ahorro-25>.

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: No

Code: 0

Explanation: No, there is not program/strategy to attract investments from emigrants.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: Yes

Code: 1

Explanation: R@ices – Red de Argentinos Investigadores y Científicos en el Exterior. The purpose of the R@ices Program is to strengthen the scientific and technological capacities of the country through the development of policies to link up with Argentine researchers living abroad, as well as actions aimed at promoting the permanence of researchers in the country and the return of those interested in developing their activities in Argentina. It aims to be an environment open to the concerns and initiatives of Argentine researchers residing in the country and abroad, through the implementation of retention, return promotion and linkage policies. The program is implemented by the Ministerio de Ciencia, Tecnología e Innovación Productiva de la Nación (MINCYT).

Sources: This information is based on EMIX and has been updated. Ministerio de Ciencia, Tecnología e Innovación Productiva. "RAICES - Red de Argentinos Investigadores y Científicos en el Exterior [NARSA - Network of Argentinean Researchers and Scientists Abroad]". Accessed July 11, 2018. <http://www.raices.mincyt.gov.ar/institucional-presentacion.php>. / CONICET. "Becas de reinserción de investigadores [Researcher Reinsertion Grants]". Accessed July 11, 2018. <http://convocatorias.conicet.gov.ar/repatriacion-2/>.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: Yes

Code: 1

Explanation: The agency in charge of the recognition of qualifications is the Argentinian Ministry of Education and its Directorate "Validez Nacional de Títulos y Estudios". Along with Bolivia, Chile, and fellow MERCOSUR countries, Argentina signed the Protocolo de Integración Educativa y Reválida de Diplomas, Certificados, Títulos y Reconocimiento de Estudios de Nivel Medio Técnico to facilitate the recognition of primary and secondary education attained in the respective signatory countries. Additionally, Argentina has signed bilateral or multilateral recognition agreements with Bolivia, Brazil, Chile, Colombia, Ecuador, France, Italy, Mexico, Panama, Peru, Spain, Uruguay and Venezuela. For countries with which Argentina has signed no agreement, the validation process must be undertaken at the Directorate of National Validity of Titles and Studies in the Ministry of Education. Concerning the recognition of university degrees, Argentina has signed agreements with Bolivia, Chile, Colombia, Cuba, Ecuador, Mexico, Peru, Ukraine and Spain. In the case of degrees from Venezuela and Syria, although there is no agreement by means of ministerial resolutions, validation was enabled to facilitate professionals who can practice their profession or continue their studies. If the degree was obtained in one of those countries, the Ministry of Education is responsible for the procedures.

The Computerized System of Application for Recognition of the National Direction of University Management of the Ministry of Education is the new procedure through of which applicants can initiate and consult the proceedings of recognition foreign titles. If, however, the degree was obtained in a country with which Argentina has no agreement, then a commission of experts from national (state) universities is responsible for the recognition of qualifications. Additionally, Argentina has established specific procedures to recognize both vocational technical education and teacher training obtained abroad. In both cases, the country adheres to the Apostille Convention, an international treaty that recognizes all public documents emitted by state signatories. This means that any academic or professional qualification obtained in one of the signatory countries is automatically recognized in Argentina. Finally, for research and teaching purposes, Argentine universities also automatically recognize undergraduate and graduate degrees obtained in universities from other MERCOSUR members.

The duration of the recognition process for academic degrees, it is variable depending on the case and the type of agreement that exists with the country of origin. If the file requires the intervention of a Committee of Experts, approximately takes between fourteen and sixteen months. In addition, the time required for the fulfillment of the academic obligations that may occasionally be required of the applicant must be added. If the file does not require the intervention of a Committee of Experts, then the process takes approximately between six and twelve months. For secondary education recognitions, the process takes three days.

Sources: This information is based on EMIX and has been updated. Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <http://www.ecolo.mrecic.gov.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:

Answer: Not stated

Code: 0.25

Explanation: The duration of the recognition process for academic degrees varies depending on the particular case and the type of agreement that exists with the country of origin. If the file requires the intervention of a Committee of Experts, then it takes approximately between fourteen and sixteen months. In addition, the time required for the fulfillment of the academic obligations that may occasionally be required of the applicant must be added. If the file does not require the intervention of a Committee of Experts, then the process takes approximately between six and twelve months. For secondary education recognitions, the process takes three days.

Sources: This information is based on EMIX and has been updated. Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <http://www.ecolo.mrecic.gov.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: No

Code: 0

Explanation: There are no records or evidence about communication campaigns aiming to convince emigrants to return to Argentina in 2017.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / Argentina.gob.org. "Medios y Comunicación Pública [Media and Public Communication]". Accessed March 2018. <https://www.deepl.com/en/translator#es/en/Medios%20y%20Comunicaci%C3%B3n%20P%C3%ABlica>.

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: Yes

Code: 1

Explanation:

There is a program of scholarships and reintegration of researchers [Becas – Reinserción de Investigadores] offering scholarships for Argentines who have studied abroad and want to return home to conduct research, as well as Postdoctoral Scholarships for the Reinsertion of Researchers intended for Argentine researchers who have been trained and who can prove their residence abroad and are granted to facilitate their insertion in the public or private research sector. The scholarships have a maximum duration of 24 months and end with the effective incorporation to a public or private research institution. Candidates must have at least 2 years of experience abroad, be developing research in science and technology institutions abroad and have a continuous quality production during the period. The candidate can apply for financial assistance to cover the costs of resettlement in Argentina. The request must be made once returned home and once scholarly activities have begun. This program is implemented by the Consejo Nacional de Investigaciones Científicas y Técnicas (CONICET).

Sources: This information is based on EMIX and has been updated. Ministerio de Ciencia, Tecnología e Innovación Productiva. "RAICES - Red de Argentinos Investigadores y Científicos en el Exterior [NARSA - Network of Argentinean Researchers and Scientists Abroad]". Accessed July 11, 2018. <http://www.raices.mincyt.gov.ar/institucional-presentacion.php>. / CONICET. "Becas de reinserción de investigadores [Researcher Reinsertion Grants]". Accessed July 11, 2018. <http://convocatorias.conicet.gov.ar/repatriacion-2/>.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: No

Code: 0

Explanation: No such provision was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Ministerio del Interior y Transporte. “Guía para argentinos que desean retornar al país [Guide for Argentines Wishing to Return to the Country]”. Accessed June 17, 2015. <http://www.mininterior.gob.ar/provincias/p25-guia.php>.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: Yes, retirement benefits can be maintained once emigrated and there is no provision in the emigration regulation about a constraint in the number of years of residence abroad to retain the entitlement. Residents abroad must provide a proof of survival or proof of life every 6 months in February and August of each year. For this, the retired or pensioned person must go personally to an Argentine Consulate or to an authority of the foreign State where he resides (commune or city council), which will issue a Survival Certificate. Since 2017 it is also possible to prove “survival” by electronic means.

Sources: ANSES. “Supervivencia - Fe de vida para residentes en el exterior [Survivorship – Faith of Life for Residents Abroad]”. Accessed August 12, 2018. <https://www.anses.gob.ar/tramites/residentes-en-el-exterior/>. / Argentina.gob.ar. “Ausencia del país y reingreso de jubilados y pensionados [Absence from the Country and Reinstatement of Retirees and Pensioners]”. Accessed March 16, 2018. <https://www.argentina.gob.ar/ausencia-del-pais-y-reingreso-de-jubilados-y-pensionados>.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: Health coverage abroad is only available where Argentina has bilateral agreements.

Sources: Consultation with personnel of the Consulate of Argentina in Berlin. February 25, 2019.

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: No

Code: 0

Explanation: No such provision was found to exist.

Sources: Consultation with personnel of the Consulate of Argentina in Berlin. February 25, 2019.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: No such provision was found to exist.

Sources: Consultation with personnel of the Consulate of Argentina in Berlin. February 25, 2019.

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: No

Code: 0

Explanation: No such provision was found to exist.

Sources: Not applicable

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: Yes

Code: 1

Explanation:

There is a program for Distance Learning Service [Servicio de Educación a Distancia] through the SEAD virtual campus. The service offers Primary and Secondary Education to Argentine children and young people or children of Argentines who are temporarily living abroad, to enable them to practice the national language, maintain their sense of belonging to their country of origin and facilitate their

reincorporation into the Argentine Education System. Learning is evaluated periodically, for each stage or unit of work and, upon returning to the country, students can be incorporated into the year they were studying or the year immediately above if they have completed the course.

Sources: Argentina.gob.ar. "Servicio de Educación a Distancia (SEAD) [Distance Education Service (DES)]". Accessed November 28, 2017. <https://www.argentina.gob.ar/educacion/gestioneducativa/sead>.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: Yes

Code: 1

Explanation: There are Argentine Schools Abroad to provide complementary teaching in relation to the Spanish language, Argentine literature, social sciences (their contents focus on history, geography and the ethical formation of citizens), with a view to providing knowledge of language and historical, geographical and social reality of Argentina. The five Argentine Schools abroad recognized by this Ministry are in: Los Angeles (USA), Washington (USA), New York (USA), Zurich (Switzerland) and Paris (France).

Sources: Argentina.gob.ar. "Escuelas argentinas en el exterior [Argentine Schools Abroad]". Accessed September 15, 2016. <https://www.argentina.gob.ar/educacion/innovacionycalidadeducativa/escuelasargentinasenelexterior>.

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: No

Code: 0

Explanation: There are no records of visits to the country of origin organized by the Argentine State.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Ministerio de Relaciones Exteriores, Comercio Internacional y Culto [Ministry of Foreign Affairs, International Trade and Worship]". Access date not available. <https://www.cancilleria.gob.ar/> / Ministerio de Cultura de la Nación. "Ministerio de Cultura: Presidencia de la Nación [Ministry of Culture: Presidency of the Nation]". Access date not available. <https://www.cultura.gob.ar/>.

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: Yes

Code: 1

Explanation: Yes, language courses are offered in the Argentine Schools Abroad and through the SEAD virtual campus.

Sources: Argentina.gob.ar. "Escuelas argentinas en el exterior [Argentine Schools Abroad]". Argentina.gob.ar. Accessed September 15, 2016. <https://www.argentina.gob.ar/educacion/innovacionycalidadeducativa/escuelasargentinasenelexterior>. / Argentina.gob.ar. "Servicio de Educación a Distancia (SEAD) [Distance Education Service (DES)]". Accessed November 28, 2017. <https://www.argentina.gob.ar/educacion/gestioneducativa/sead>.

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: Military service voluntary for residents and nonresidents.

Code: 0.5

Explanation: There is no mandatory military service in Argentina. In Argentina, obligatory military service was abolished in 1995 by Law 24.429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve the army or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: This information is based on EMIX and has been updated / Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: Social service voluntary for residents and nonresidents.

Code: 0.5

Explanation: There is a "servicio social sustitorio" (substitute social service), but given that military service is voluntary, one can assume that social services are voluntary as well. According to Art. 21 of Law 24.429 the social service shall consist of the carrying out of activities of public utility and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature.

Sources: This information is based on EMIX and has been updated. Ley N° 24.429 [Law 24.429]. 1995. Art. 21.

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: No.

Code: 0

Explanation: By the taxes on profits, non-residents are taxed exclusively on their earnings from Argentine sources.

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. / Decreto 281/97 [Decree 281/97]. 1997.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: There are no specific taxes for emigrants, but they must pay taxes for their assets located abroad.

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. / Decreto 281/97 [Decree 281/97]. 1997.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: Direction of Argentineans abroad.

Sources: Ley de Ministerios 22.520 [Law of Ministries 22.520]. 1992.

Name of the institution with competencies for emigrant policies in original language:

Answer: Dirección de argentinos en el exterior.

Name of the institution with competencies for emigrant policies in English:

Answer: Direction of Argentineans Abroad.

EMIGRANT_52. Place in the administrative hierarchy:

Answer: 4th Rank in the public administration

Code: 0.25

Explanation: the Direction of Argentineans abroad is below the General Direction of Consular Affairs [Dirección General de asuntos consulares], which is below the Secretary of Foreign Affairs [Secretaría de Relaciones Exteriores], which in turn is below the Ministry of Foreign Affairs and Worship [Ministerio de Relaciones Exteriores y Culto].

Sources: Ley de Ministerios 22.520 [Law of Ministries 22.520]. 1992.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):

Answer: 152

Code: 152

Explanation: Argentina has a total of 155 diplomatic representations in 89 countries, divided as follows: 88 embassies, 53 consulates, 11 consulates general, 11 centers of commercial promotion, 6 permanent missions, one office and one consular section ($53+11= 64$) + $88= 152$).

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Representaciones argentinas en el exterior [Argentine Representations Abroad]". Accessed August 5, 2018. <http://www.mrecic.gov.ar/representaciones>.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):

Answer: 89

Code: 89

Explanation: The number of countries with consular missions up to date has increased and expanded. Argentina has a total of 155 diplomatic representations in 89 countries.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Representaciones argentinas en el exterior [Argentine Representations Abroad]". Accessed August 5, 2018. <http://www.mrecic.gov.ar/representaciones>.

2.6.3. New consular functions

EMIGRANT_54: Extensions to the consular network services.

Existence of mobile consulates:

Answer: No

Code: 0

Explanation: No such type of consulate was found to exist.

Sources: Ministerio de Relaciones Exteriores y Culto, "Asistencia consular | Embajada en Francia". Accessed January 21st, 2019. <http://efran.mrecic.gov.ar/es/content/asistencia-consular-francia>. / Consulado General y Centro de Promoción en Barcelona, "Información básica [Basic Information]". Accessed January 21, 2019. <http://cbarc.cancilleria.gov.ar/es/informaci%C3%B3n-b%C3%A1sica>.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: No

Code: 0

Explanation: No such service was found to exist.

Sources: Embajada en Francia "Asistencia consular [Consular Assistance]". Accessed January 21, 2019. <http://efran.mrecic.gov.ar/es/content/asistencia-consular-francia>. / Consulado General y Centro de Promoción en Barcelona, "Información básica [Basic Information]". Accessed January 21, 2019. <http://cbarc.cancilleria.gov.ar/es/informaci%C3%B3n-b%C3%A1sica>.

Consulates offer some services online:

Answer: Yes

Code: 1

Explanation: One service provided is that Argentinean citizens can make queries on the status of their DNI/passport/criminal records and other kind of paperwork.

Sources: Embajada en Francia "Asistencia consular [Consular Assistance]". Accessed January 21, 2019. <http://efran.mrecic.gov.ar/es/content/asistencia-consular-francia>. / Consulado General y Centro de Promoción en Barcelona, "Información básica [Basic Information]". Accessed January 21, 2019. <http://cbarc.cancilleria.gov.ar/es/informaci%C3%B3n-b%C3%A1sica>.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No such function was found to be in place.

Sources: Embajada en Alemania. "Funciones de los consulados argentinos en el exterior". Accessed July 17, 2018. <http://ealem.mrecic.gov.ar/es/funciones-de-los-consulados-argentinos-en-el-exterior>.

Consulates offer psychological consultancy:

Answer: No

Code: 0

Explanation: No such consultancy was found to be offered.

Sources: Embajada de Alemania. "Funciones de los consulados argentinos en el exterior [Functions of Argentine Consulates Abroad]". Accessed July 17, 2018. <http://ealem.mrecic.gov.ar/es/funciones-de-los-consulados-argentinos-en-el-exterior>.

Consulates offer health services:

Answer: No

Code: 0

Explanation: No such service was found to be offered.

Sources: Embajada de Alemania. "Funciones de los consulados argentinos en el exterior [Functions of Argentine Consulates Abroad]". Accessed July 17, 2018. <http://ealem.mrecic.gov.ar/es/funciones-de-los-consulados-argentinos-en-el-exterior>.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: There is no record of special migrant offices created by the state of origin in the state of reception. There are just the official embassies and consulates.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Ministerio de Relaciones Exteriores, Comercio Internacional y Culto [Ministry of Foreign Affairs, International Trade and Worship]". Access date not available. <https://www.cancilleria.gob.ar/>.

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: No, it uses the terms 'nationality' and 'citizenship' indistinctly.

Code: 0

Explanation: There is no distinction in the way that both terms are used. The term "Argentineans" is used with no specification of its application to Argentinean-born citizens or naturalized persons. According to Art. 7 of Law 346, Argentineans who have reached the age of 18 years enjoy all political rights in accordance with the Constitution and the laws of the Republic.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 7. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: No provision

Code: 1

Explanation: No. Argentine citizens cannot lose their nationality but they have their political rights suspended until they return. In Resolution 2650-1984-DNM it was considered that Law No. 23.059 restored the validity of Law No. 346 as the Nationality Act, which implies that Argentineans do not lose their nationality because of naturalizing in a foreign country.

In turn, Art. 8 of Law 346 states that political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without the permission of the Congress; by people who experienced fraudulent bankruptcies, nor by those who have on themselves a condemnatory sentence that imposes an infamous or death penalty.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 8. / Resolución 2650-1984-DNM [Resolution 2650-1984-DNM]. 1984.

Nationality can be withdrawn only if person resides abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: Argentina poses no restrictions for dual citizenship itself. Nevertheless, an individual may lose his political rights if he accepts the nationality of a country Argentina has signed a treaty with and simultaneously chooses this second country as his place of permanent residence.

Thus, there are no general legal obstacles from the point of view of nationality: “los argentinos no pierden su nacionalidad por haberse naturalizado en un país extranjero” (Dirección Nacional de Migraciones 1984). However, the standard procedures can vary according to the bilateral relation with the other country, establishing a dominant, and a dormant nationality. Argentina has signed Dual

Nationality Agreements with the following countries: Colombia, Chile, Ecuador, El Salvador, Spain, Honduras, Italy, Nicaragua, Norway, Panama, Sweden and (until 20 October 1981) the United States. In these cases, the country of permanent residence ("residencia definitiva") defines the dominant nationality. Someone with double citizenship and permanent residence in one of the abovementioned countries will be treated as a foreigner on Argentinian territory, unless the emigrant decides to take up permanent residence again in Argentina: "al manifestar su intención de renovar su residencia habitual (domicilio) en la República, reasume automáticamente su anterior nacionalidad, esto es, la argentina" (ibid.). Individuals with a second citizenship from a country Argentina has not signed a Dual Nationality Agreement with will be considered Argentines whenever they enter or leave national territory, "ya que según la actual Ley de Nacionalidad (N° 346) la nacionalidad argentina no se pierde. Lo único que se pierde es el ejercicio de los derechos políticos" (ibid.). They may even enter the country with the non-Argentine passport, provided they can attest to being Argentine as well.

Sources: This information is based on EMIX.

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: No, but Argentines residing abroad may not exercise political rights. According to Art. 8 of Law 346 political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without the permission of the Congress; by people who experienced fraudulent bankruptcies, nor by those who have on themselves a condemnatory sentence that imposes an infamous or death penalty.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 8.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person has another citizenship:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: No provision = 1

Code: 1

Explanation: There is only suspension of political rights that may occur after naturalization in a foreign country. Art. 8 of Law 346 specifies that political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without the permission of the Congress; by people who experienced fraudulent bankruptcies, nor by those who have on themselves a condemnatory sentence that imposes an infamous or death penalty.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 8.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: Jus sanguinis is possible at the moment of conferring nationality according to Art. 1 of Law 346: Argentineans are: (...) 2° The children of native Argentines, who, having been born in a foreign country, choose their citizenship of origin".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 1.

Transfer of nationality is applicable to:

Answer: Only first generation

Code: 0.5

Explanation: Jus sanguinis is possible at the moment of conferring nationality according to Art. 1 of Law 346: Argentineans are: (...) 2° The children of native Argentines, who, having been born in a foreign country, choose their citizenship of origin.”

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 1.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: It is restricted to those born to first-generation emigrant Argentinean national parents. According to Art. 1 of Law 346: Argentineans are: (...) 2° The children of native Argentines, who, having been born in a foreign country, choose their citizenship of origin”.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 1.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: No provision for renunciation (thus, renunciation is not possible).

Code: 0

Explanation: There is no provision in the citizenship and nationality regulation about the renunciation of nationality Law No. 23.059 restored the validity of Law No. 346 as the Nationality Act, implying that Argentines do not lose their nationality because they have become naturalized in a foreign country.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

Renunciation abroad is only possible if person has another nationality:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: No provision

Code: 0

Explanation: The reacquisition is Not applicable since Argentinean citizenship cannot be lost.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Restrictions if less than 5 years living abroad.

Code: 0

Explanation: The restrictions of political rights set by Art. 8 of Law 346 refer to those naturalized abroad and do not depend on time spent abroad. Besides one of the conditions of occupy public positions in national public administration, according to Art. 4 of Law 25.164, is the previous accreditation of the following conditions: a) Be native Argentine, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction. (...) Since people with countries that Argentina has signed a treaty will be considered foreigners, they cannot occupy public positions.

Sources: Ley 25.164 [Law 25.164]. 1999. Art. 4. / Ley N° 346 [Law 346]. 1869 (2004). Art. 8.

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: No

Code: 0

Explanation: Argentineans abroad do not fall in an official category different to resident nationals/citizens with different legal consequences.

Sources: Ley N° 346 [Law 346]. 1869 (2004). / Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Ministerio de Relaciones Exteriores, Comercio Internacional y Culto [Ministry of Foreign Affairs, International Trade and Worship]". Access date not available. <https://www.cancilleria.gob.ar/>.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: The suspension of political rights only applies for Argentines that have naturalized in a foreign country and not for those that have merely resided abroad. 8 Law 346 Political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without the permission of the Congress; by fraudulent bankruptcies, nor by those who have on themselves a condemnatory sentence that imposes an infamous or death penalty.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 8.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) [*If it is not specified in the regulation, it is coded as restrictions not conditional to return]:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1. How many visa types does the country have?

Answer: 9

Code: 9

Explanation: 9 types of visa 1. tourist visa 2. business visa 3. visa to attend congresses and fairs, or to carry out technical, scientific, artistic, or professional activities 4. nationality visa 5. working visa 6. visa for expatriate staff 7. student visa (formal studies & no formal studies- cultural exchange, internships, part-time studies) 8. visa for members of the clergy 9. family reunification visa.

Sources: Ministry of Foreign Affairs, International Trade and Worship. "Visas". Accessed May 31, 2018. <http://cancilleria.gob.ar/en/visas>.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: - Foreigners shall be admitted to enter and remain in the country in the categories of "permanent residents", "temporary residents" or "temporary residents". Thus, there are three main official categories

1. Permanent residents are, according to Art. 22 of Law 25.871, any foreigner who, for the purpose of establishing himself/herself definitively in the country, obtains from the National Directorate of Migration an admission in such character. Likewise, immigrants shall be considered permanent residents if they are relatives of Argentine citizens, natives or by option, understood as spouses, children and parents. The children of native or optionally born Argentines born abroad are recognized as permanent residents. The authorities will allow their free entry and stay in the territory.

2. Temporary residents are, according to Art. 23 of Law 25.871: a) Migrant worker, b) Annuitant, c) Pensioner, d) Investor, e) Scientists and specialized personnel, f) Athletes and artists, g) visa for members of the clergy, h) Patients undergoing medical treatment, i) Academics, j) Students, k) Asylum seekers and refugees, i) Nationality (available to nationals of MERCOSUR Member or Associate States, for the purpose of temporary establishment of foreign nationals in the Argentine Republic for a maximum term of 2 (two) years.), (m) Humanitarian reasons and n) Special treatment (Those who enter the country for reasons not contemplated in the previous paragraphs).

3. Transit residents, are, according to Art. 24 of Law 25.871: a) Tourists; b) Passengers in transit; c) Neighborhood border traffic; d) International transport crew members; e) Seasonal migrant workers; f) Academics; g) Medical Treatment; h) Special treatment.

There is also something called "Precarious residence" defined by Art. 20 of Law 25.871: Pending the formalization of the corresponding procedure, the Authority of Application may grant an authorization for "precarious residence", which may be revoked by the Authority of Application, when the reasons taken into account for granting it are distorted. It will be valid for up to ninety (90) calendar days, and may be renewable until the resolution of the admission requested, and will enable its holders to stay, leave and re-enter the national territory, work and study during its period of validity.

Sources: Ministry of Foreign Affairs, International Trade and Worship. "Visas". Accessed May 31, 2018. <http://cancilleria.gob.ar/en/visas>.

How many categories?

Answer: 3

Code: 3

Explanation: See IMMIGRATION_2

Sources: Ministry of Foreign Affairs, International Trade and Worship. "Visas". Accessed May 31, 2018. <http://cancilleria.gob.ar/en/visas>. http://www.migraciones.gov.ar/pdf_varios/residencias/Decreto_70-2017.pdf.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: Yes

Code: 1

Explanation: Fingerprint identification and photography.

Sources: Decreto Nacional 1.501/2009 [National Decree]. 2009. / Decreto 1766/2011 [Decree 1766/2011]. 2011.

Does the state collect biometric information from immigrants for example for passports?

Answer: Yes

Code: 1

Explanation: Fingerprint identification and photography.

Sources: Decreto Nacional N° 1.501/2009 [National Decree]. 2009.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?

Answer: No

Code: 0

Explanation: No. There is no provision in the immigration regulation about exempting certain countries or individuals of the regular visa procedures. So it is assumed that there are not existent.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: Yes, the DNI (document nacional de identidad/national identity card). Yes, according to Art. 13 Law of 17.671 "The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act, and may not be supplemented by any other identity card of whatever nature or origin". Also Art. 1 of Law 23.950 states "However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contravention act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...)".

Sources: Ley N° 17.671 [Law 17.61]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Are they required to carry them at all times?

Answer: Yes

Code: 1

Explanation: Yes the DNI (document nacional de identidad/national identity card) has to be shown. Art. 13 Law of 17.671 states that "The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act, and may not be supplemented by any other identity card of whatever nature or origin".

Sources: Ley N° 17.671 [Law 17.61]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: No quota was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: No

Code: 1

Explanation: No quota was found to exist.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No quota found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: No quota found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: Yes

Code: 0

Explanation: See below.

List of categories of excluded persons:

Answer: Art. 29 of Decree 70/2017 states: "The following causes shall be impeding the entry and stay of foreigners in the national territory a) false or adulterated national or foreign documentation, or the failure to report on the existence of criminal records, convictions and / or judicial requirements or security forces. b) Being prohibited from entering, having been subject to measures of expulsion or prohibition of re-entry c) To have been convicted or to be serving a sentence, or to have a history or conviction not signed in the Argentine Republic d) To have been convicted or to be serving a sentence, or to have a history or a non-final conviction, in the Argentine Republic or abroad with respect to crimes of trafficking in arms, persons, of organs, or for money laundering or investment in illicit activities; e) Having incurred or participated in government or other acts that constitute genocide, war crimes, acts of terrorism or crimes against humanity and any other act susceptible of being judged by the International Criminal Court; f) Have a history or have incurred or participated in terrorist activities or belong to organizations g) Have been convicted in the Argentine Republic or have incurred or participated in the promotion or facilitation, for profit, in the entry or stay or illegal exit of foreigners in the national territory; h) Have been convicted in the Argentine Republic or have a history of having submitted material or ideologically false documentation, to obtain a migratory benefit for themselves or for a third party; i) Promote prostitution; j) To have been convicted or have antecedents, in the Argentine Republic and / or abroad, regarding corruption offenses k) Attempt to enter or have entered the national territory by evading immigration controls, or by place or time not authorized for

that purpose; l) The verification of the existence of any of the impediments of establishment established in this Law; m) Failure to comply with the requirements of this Law”.

Code: Art. 29 of Decree 70/2017 states: “The following causes shall be impeding the entry and stay of foreigners in the national territory a) false or adulterated national or foreign documentation, or the failure to report on the existence of criminal records, convictions and / or judicial requirements or security forces. b) Being prohibited from entering, having been subject to measures of expulsion or prohibition of re-entry c) To have been convicted or to be serving a sentence, or to have a history or conviction not signed in the Argentine Republic d) To have been convicted or to be serving a sentence, or to have a history or a non-final conviction, in the Argentine Republic or abroad with respect to crimes of trafficking in arms, persons, of organs, or for money laundering or investment in illicit activities; e) Having incurred or participated in government or other acts that constitute genocide, war crimes, acts of terrorism or crimes against humanity and any other act susceptible of being judged by the International Criminal Court; f) Have a history or have incurred or participated in terrorist activities or belong to organizations g) Have been convicted in the Argentine Republic or have incurred or participated in the promotion or facilitation, for profit, in the entry or stay or illegal exit of foreigners in the national territory; h) Have been convicted in the Argentine Republic or have a history of having submitted material or ideologically false documentation, to obtain a migratory benefit for themselves or for a third party; i) Promote prostitution; j) To have been convicted or have antecedents, in the Argentine Republic and / or abroad, regarding corruption offenses k) Attempt to enter or have entered the national territory by evading immigration controls, or by place or time not authorized for that purpose; l) The verification of the existence of any of the impediments of establishment established in this Law; m) Failure to comply with the requirements of this Law”.

Explanation: Not applicable

Sources: Decreto 70/2017 [Decree 70/2017]. 2017.

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: No such list found.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 70/2017 [Decree 70/2017]. 2017.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: No such list was found.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 70/2017 [Decree 70/2017]. 2017.

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: No

Code: 0

Explanation: The responsible for all immigration process is the National Direction of Migrations (Dirección Nacional de Migraciones) and not external persons/institutions.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 70/2017 [Decree 70/2017]. 2017.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: No

Code: 0

Explanation: No, although interestingly, Art. 25 of the Constitution encourages European immigration: "The Federal Government shall encourage European immigration; and may not restrict, limit or levy any tax on the entry into Argentine territory of foreigners who bring for the purpose of ploughing the land, improving industries, and introducing and teaching the sciences and arts."

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 70/2017 [Decree 70/2017]. 2017. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 25.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: Irregular residence is considered an administrative offense.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: Art. 61 Law 25.871 When the irregularity of stay of a foreigner in the country is confirmed, and considering the circumstances of the profession of the foreigner, his/her relationship with a national Argentine, the specified term of staying and other social and personal conditions, the National Direction of Migrations will have to instruct him/her in order to regularize his/her situation in a fixed time limited for that purpose, under the warning to decide his/her expulsion. When the fixed term has expired and the situation is not solved, the National Direction of Migrations will decide the expulsion with suspensive effect and will ask the participation and will also be a party before the Judge or Court with jurisdiction over the subject matter of the case, regarding the revision of the administrative decision of expulsion.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 61.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: Yes, the penalty is expulsion.

Sources: Decreto 70/2017 [Decree 70/2017]. 2017. / Ley N° 25.871 [Law 25.871]. 2013.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Yes, penalty is expulsion as well as prohibited entry within five years. Art. 29 Decree 70/2017 The causes of impediments for the entrance and stay of foreigners in the National Territory:
a) The presentation, before the authority, of national and foreign, material or ideologically false or adulterated documentation. The fact will be punished with a prohibition of re-entrance for a minimum term of five (5) years; (...) Art. 62 Law 25.871 The National Direction of Migrations, without prejudice of the corresponding judicial proceedings, will cancel the residence that would have been granted, with the suspensive effect, no matter the length of the authorization, category or cause of admission and will decide the subsequent expulsion, in the following cases: a) With the purpose of achieving a migratory benefit of the Argentine citizenship, there would have been a performance of a fact or a simulated act, or this one would have been performed with fraud to law or with lack of consent or would have been a presentation of documentation which shows to be material or ideologically false or adulterated; (...).

Sources: Decreto 70/2017 [Decree 70/2017]. 2017. / Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Penalty is a fine:

Answer: No

Code: 1

Explanation: The penalty is expulsion.

Sources: Decreto 70/2017 [Decree 70/2017]. 2017. / Ley N° 25.871 [Law 25.871]. 2013.

Penalty is detention:

Answer: No

Code: 1

Explanation: The penalty is expulsion.

Sources: Decreto 70/2017 [Decree 70/2017]. 2017. / Ley N° 25.871 [Law 25.871]. 2013.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: The penalty is expulsion.

Sources: Decreto 70/2017 [Decree 70/2017]. 2017. / Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: Yes

Code: 0

Explanation: First, the immigrant in question is given a warning and if the regularization does not take place within the allotted time, they may be expelled. Art. 61 Law 25.871 When the irregularity of stay of a foreigner in the country is confirmed, and considering the circumstances of the profession of the foreigner, his/her relationship with a national Argentine, the specified term of staying and other social and personal conditions, the National Direction of Migrations will have to instruct him/her in order to regularize his/her situation in a fixed time limited for that purpose, under the warning to decide his/her expulsion. When the fixed term has expired and the situation is not solved, the National Direction of Migrations will decide the expulsion with suspensive effect and will ask the participation and will also be a party before the Judge or Court with jurisdiction over the subject matter of the case, regarding the revision of the administrative decision of expulsion.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 61.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Yes, the penalty is expulsion although the answer is nuanced. First, irregular migrants are given a warning and time for regularization. If this does not happen within the given timeframe, the immigrant may be ultimately expelled.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Penalty is a fine:

Answer: No

Code: 1

Explanation: The penalty is a warning followed by expulsion.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Penalty is detention:

Answer: No

Code: No

Explanation: The penalty is a warning followed by expulsion.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: The penalty is a warning followed by expulsion.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: Yes

Code: 0

Explanation: The penalty is imprisonment.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Penalty is a fine:

Answer: No

Code: 1

Explanation: The penalty is imprisonment.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Penalty is imprisonment:

Answer: Yes

Code: 2

Explanation: If people aid immigrants to enter the country they will be punished with imprisonment from one to six years. Art. 116 Law 25.871 states that there will be a punishment of imprisonment or confinement from one (1) to six (6) years for the one who would commit, promote or facilitate the illegal trafficking in persons from, or with destination to the Argentine Republic. It will be understood as illegal trafficking in persons, the action of carrying out, promote or facilitate the illegal crossing, throughout the national borders limits, with the purpose of achieving a benefit in a direct or indirect way.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 116.

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: The law states that no person may provide work for irregular migrants.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Art. 55 Law 25.871 It is not allowed to provide accommodation against payment to foreigners that reside in an irregular way in the country. Moreover, no person of ideal or visible existence, public or private, will be allowed to provide work or any gainful job, as a self-employee or as an employee, to foreigners that reside in an irregular way. Art. 55 Law 25.871 Those who infringe the dispositions established by the article 55, first paragraph of the present law, will be mutually sanctioned with a fine which arises to the amount of twenty (20) Minimum, Movable and Vital salaries for each foreigner who will be provided accommodation against payment. Those who infringe the disposition established in the article 55, second paragraph of the present law, will be mutually sanctioned with a fine which amount will arise to fifty (50) Minimum, Movable and Vital Salaries for each foreigner, lacking in migratory authorization for working, and who is being provided a work or a gainful job. The amount of the fine to be imposed will arise to the amount of one hundred (100) Minimum, Movable and Vital Salaries when work or a gainful job will be provided to non-emancipated or under the age of fourteen (14) years old foreigners. The repetition will be considered as an aggravating circumstance of the infringement, and it will increase the amount of the fine imposed up to fifty per cent (50%). If there is a request of the infractor, who proves the lack of enough financial resources, the National Direction of Migrations will exceptionally, throughout a disposition, decide in this specific case, a decrease of the amount of the fine to be imposed or authorize its payment in installments. For that purpose, it will be considered the financial availability of the infractor and the possible reiteration that may occur regarding the issue. In no case the fine imposed will be lower than two (2) Minimum, Movable and Vital Salaries. The Home Office is authorized to establish alternative mechanisms of punishments to the infringement stated in the present Title – of responsibilities of the employers, the people who give work and accommodation-, based on the protection of the immigrant, the assistance and the social actions.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 55.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: The penalty is a fine.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: Yes

Code: 0

Explanation: The penalty is a fine.

Sources: Not applicable

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: Art. 55 Law 25.871 It is not allowed to provide accommodation against payment to foreigners that reside in an irregular way in the country. Moreover, no person of ideal or visible existence, public or private, will be allowed to provide work or any gainful job, as a self-employee or as an employee, to foreigners that reside in an irregular way Art. 59 Law 25.871 Those who infringe the dispositions established by the article 55, first paragraph of the present law, will be mutually sanctioned with a fine which arises to the amount of twenty (20) Minimum, Movable and Vital salaries for each foreigner who will be provided accommodation against payment. Those who infringe the disposition established in the article 55, second paragraph of the present law, will be mutually sanctioned with a fine which amount will arise to fifty (50) Minimum, Movable and Vital Salaries for each foreigner, lacking in migratory authorization for working, and who is being provided a work or a gainful job. The amount of the fine to be imposed will arise to the amount of one hundred (100) Minimum, Movable and Vital Salaries when work or a gainful job will be provided to non-emancipated or under the age of fourteen (14) years old foreigners. The repetition will be considered as an aggravating circumstance of the infringement, and it will increase the amount of the fine imposed up to fifty per cent (50%). If there is a request of the infractor, who proves the lack of enough financial resources, the National Direction of Migrationss will exceptionally, throughout a disposition, decide in this specific case, a decrease of the amount of the fine to be imposed or authorize its payment in installments. For that purpose, it will be considered the financial availability of the infractor and the possible reiteration that may occur regarding the issue. In no case the fine imposed will be lower than two (2) Minimum, Movable and Vital Salaries. The Home Office is authorized to establish alternative mechanisms of punishments to the infringement stated in the present Title – of responsibilities of the employers, the people who give work and accommodation-, based on the protection of the immigrant, the assistance and the social actions.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 55.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: The penalty is a fine.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: Yes

Code: 0

Explanation: The penalty was a fine.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Art. 38 Law 25.871 The captain, commander, ship owner, owner, person in charge of or responsible for all means of transport of persons, to or from the Republic, whether by sea, river, air or land, and the companies, enterprises or agencies that own, operate or consign a means of transport shall be jointly and severally liable for the driving and transport of passengers and crew members under regulated conditions. Art. 46 Law 25.871 The non-compliance of the provisions established in the present Title and its regulations, will be sanctioned by the National Direction of Migrations, with a fine which amount will be the triple of the cost of the means of transport used from the origin point to the final destination in the national territory, of the value in force at the moment of making the fine. In no case the fines will be less than the equivalent of one thousand two hundred and nineteen (1,219) liters of diesel oil at the price subsidized for transport sector or in the case of absence of it at the lower price of the market for particular consumers at the day of making the fine; and neither they will be higher to the equivalent of thirty thousand four hundred and eighty seven (30,487) liters of diesel oil at the cost subsidized for transport sector or in the absence of it at the lowest price of the market for a particular consumer at the day of making the fine. In the case of delay in the payment of the fine, the corresponding interests will be carried.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 38 and 46.

Penalty is more than a fine:

Answer: No

Code: 1

Explanation: The penalty is a fine.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: Yes

Code: 1

Explanation: There is case-by-case regularization in Argentina, as suggested by the Law 25.871 and further regulated by the Decree 616/2010. The conditions (highlighted in bold) are not very exact at the regulatory level, but include a specific time after authorities attest irregularity and a bail/deposit. Law 25.871 ARTICLE 17. - The State shall provide for the adoption and implementation of measures aimed at regularizing the migratory situation of foreigners. Decree 616/2010 ARTICLE 17.- In order to regularize the migratory situation of foreigners, the NATIONAL DIRECTION OF MIGRATION may: a) Dictate provisions that simplify and streamline the respective administrative procedures. b) Enter into agreements and resort to the collaboration of public or private organizations. c) Develop and implement programs in those areas of the country that require special treatment. d) Enter into agreements with foreign authorities residing in the ARGENTINE REPUBLIC in order to expedite and favor the obtaining of documentation from those countries. e) Establish criteria for exemption from the payment of the migration tax, in cases of poverty or when humanitarian reasons so justify. ARTICLE 61.- When it is verified that a foreigner has distorted the reasons that authorized his entrance to the Argentine territory or remains in it once expired the term of agreed permanence, the NATIONAL DIRECTION OF MIGRATIONS will exhort him in order that, in a term that does not exceed of THIRTY (30) days, he presents himself to regularize his migratory situation having to accompany the necessary documents for it. To such effect, he will be notified in writing, in an understandable way, of the consequences that it will have for him to remain in the warned migratory situation. The NATIONAL DIRECTION OF MIGRATIONS may grant an extension of the agreed term, which may not exceed THIRTY (30) days, when so requested by the interested party and demonstrates acts that demonstrate their intention to regularize the migratory situation. ARTICLE 73: The persons, companies, enterprises, associations or societies that request the entrance, the permanence or the regularization of the migratory situation of a foreigner in the country will have to register in the NATIONAL REGISTRY UNIQUE OF REQUIRERS OF FOREIGNERS. They must also satisfy the deposit/bail, real or sworn, determined by the NATIONAL DIRECTION OF MIGRATIONS. For these purposes, the background and solvency of the applicant shall be taken into account. If it is appropriate to impose a real bail, it must be set between a minimum of TWO (2) and a maximum of TEN (10) minimum living wages. The NATIONAL DIRECTION OF MIGRATION will determine the form and procedure for the constitution and reimbursement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 16, 17, 61 and 73.

The amnesty program is/was:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being employed is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Does a case by case regularization for irregular immigrants existed?

Answer: Yes

Code: 1

Explanation: There is case-by-case regularization in Argentina, as suggested by the Law 25.871 and further regulated by the Decree 616/2010. The conditions (highlighted in bold) are not very exact at the regulatory level, but include a specific time after authorities attest irregularity and a bail/deposit. Law 25.871 ARTICLE 17. - The State shall provide for the adoption and implementation of measures aimed at regularizing the migratory situation of foreigners. Decree 616/2010 ARTICLE 17.- In order to regularize the migratory situation of foreigners, the NATIONAL DIRECTION OF MIGRATION may: a) Dictate provisions that simplify and streamline the respective administrative procedures. b) Enter into agreements and resort to the collaboration of public or private organizations. c) Develop and implement programs in those areas of the country that require special treatment. d) Enter into agreements with foreign authorities residing in the ARGENTINE REPUBLIC in order to expedite and favor the obtaining of documentation from those countries. e) Establish criteria for exemption from the payment of the migration tax, in cases of poverty or when humanitarian reasons so justify. ARTICLE 61.- When it is verified that a foreigner has distorted the reasons that authorized his entrance to the Argentine territory or remains in it once expired the term of agreed permanence, the NATIONAL DIRECTION OF MIGRATIONS will exhort him in order that, in a term that does not exceed of THIRTY (30) days, he presents himself to regularize his migratory situation having to accompany the necessary documents for it. To such effect, he will be notified in writing, in an understandable way, of the consequences that it will have for him to remain in the warned migratory situation. The NATIONAL DIRECTION OF MIGRATIONS may grant an extension of the agreed term, which may not exceed THIRTY (30) days, when so requested by the interested party and demonstrates acts that demonstrate their intention to regularize the migratory situation. ARTICLE 73: The persons, companies, enterprises, associations or societies that request the entrance, the permanence or the regularization of the migratory situation of a foreigner in the country will have to register in the NATIONAL REGISTRY UNIQUE OF REQUIRERS OF FOREIGNERS. They must also satisfy the

deposit/bail, real or sworn, determined by the NATIONAL DIRECTION OF MIGRATIONS. For these purposes, the background and solvency of the applicant shall be taken into account. If it is appropriate to impose a real bail, it must be set between a minimum of TWO (2) and a maximum of TEN (10) minimum living wages. The NATIONAL DIRECTION OF MIGRATION will determine the form and procedure for the constitution and reimbursement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 16, 17, 61 and 73.

Being employed is a condition to qualify for the case by case regularization program:

Answer: No

Code: 0

Explanation: There is case-by-case regularization in Argentina, as suggested by the Law 25.871 and further regulated by the Decree 616/2010. The conditions (highlighted in bold) are not very exact at the regulatory level, but include a specific time after authorities attest irregularity and a bail/deposit. Law 25.871 ARTICLE 17. - The State shall provide for the adoption and implementation of measures aimed at regularizing the migratory situation of foreigners. Decree 616/2010 ARTICLE 17.- In order to regularize the migratory situation of foreigners, the NATIONAL DIRECTION OF MIGRATION may: a) Dictate provisions that simplify and streamline the respective administrative procedures. b) Enter into agreements and resort to the collaboration of public or private organizations. c) Develop and implement programs in those areas of the country that require special treatment. d) Enter into agreements with foreign authorities residing in the ARGENTINE REPUBLIC in order to expedite and favor the obtaining of documentation from those countries. e) Establish criteria for exemption from the payment of the migration tax, in cases of poverty or when humanitarian reasons so justify. ARTICLE 61.- When it is verified that a foreigner has distorted the reasons that authorized his entrance to the Argentine territory or remains in it once expired the term of agreed permanence, the NATIONAL DIRECTION OF MIGRATIONS will exhort him in order that, in a term that does not exceed of THIRTY (30) days, he presents himself to regularize his migratory situation having to accompany the necessary documents for it. To such effect, he will be notified in writing, in an understandable way, of the consequences that it will have for him to remain in the warned migratory situation. The NATIONAL DIRECTION OF MIGRATIONS may grant an extension of the agreed term, which may not exceed THIRTY (30) days, when so requested by the interested party and demonstrates acts that demonstrate their intention to regularize the migratory situation. ARTICLE 73: The persons, companies, enterprises, associations or societies that request the entrance, the permanence or the regularization of the migratory situation of a foreigner in the country will have to register in the NATIONAL REGISTRY UNIQUE OF REQUIRERS OF FOREIGNERS. They must also satisfy the deposit/bail, real or sworn, determined by the NATIONAL DIRECTION OF MIGRATIONS. For these purposes, the background and solvency of the applicant shall be taken into account. If it is appropriate to impose a real bail, it must be set between a minimum of TWO (2) and a maximum of TEN (10) minimum living wages. The NATIONAL DIRECTION OF MIGRATION will determine the form and procedure for the constitution and reimbursement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 16, 17, 61 and 73.

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Yes

Code: 1

Explanation: There is case-by-case regularization in Argentina, as suggested by the Law 25.871 and further regulated by the Decree 616/2010. The conditions (highlighted in bold) are not very exact at the regulatory level, but include a specific time after authorities attest irregularity and a bail/deposit. Law 25.871 ARTICLE 17. - The State shall provide for the adoption and implementation of measures

aimed at regularizing the migratory situation of foreigners. Decree 616/2010 ARTICLE 17.- In order to regularize the migratory situation of foreigners, the NATIONAL DIRECTION OF MIGRATION may: a) Dictate provisions that simplify and streamline the respective administrative procedures. b) Enter into agreements and resort to the collaboration of public or private organizations. c) Develop and implement programs in those areas of the country that require special treatment. d) Enter into agreements with foreign authorities residing in the ARGENTINE REPUBLIC in order to expedite and favor the obtaining of documentation from those countries. e) Establish criteria for exemption from the payment of the migration tax, in cases of poverty or when humanitarian reasons so justify. ARTICLE 61.- When it is verified that a foreigner has distorted the reasons that authorized his entrance to the Argentine territory or remains in it once expired the term of agreed permanence, the NATIONAL DIRECTION OF MIGRATIONS will exhort him in order that, in a term that does not exceed of THIRTY (30) days, he presents himself to regularize his migratory situation having to accompany the necessary documents for it. To such effect, he will be notified in writing, in an understandable way, of the consequences that it will have for him to remain in the warned migratory situation. The NATIONAL DIRECTION OF MIGRATIONS may grant an extension of the agreed term, which may not exceed THIRTY (30) days, when so requested by the interested party and demonstrates acts that demonstrate their intention to regularize the migratory situation. ARTICLE 73: The persons, companies, enterprises, associations or societies that request the entrance, the permanence or the regularization of the migratory situation of a foreigner in the country will have to register in the NATIONAL REGISTRY UNIQUE OF REQUIRERS OF FOREIGNERS. They must also satisfy the deposit/bail, real or sworn, determined by the NATIONAL DIRECTION OF MIGRATIONS. For these purposes, the background and solvency of the applicant shall be taken into account. If it is appropriate to impose a real bail, it must be set between a minimum of TWO (2) and a maximum of TEN (10) minimum living wages. The NATIONAL DIRECTION OF MIGRATION will determine the form and procedure for the constitution and reimbursement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 16, 17, 61 and 73.

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: No

Code: 0

Explanation: There is case-by-case regularization in Argentina, as suggested by the Law 25.871 and further regulated by the Decree 616/2010. The conditions (highlighted in bold) are not very exact at the regulatory level, but include a specific time after authorities attest irregularity and a bail/deposit. Law 25.871 ARTICLE 17. - The State shall provide for the adoption and implementation of measures aimed at regularizing the migratory situation of foreigners. Decree 616/2010 ARTICLE 17.- In order to regularize the migratory situation of foreigners, the NATIONAL DIRECTION OF MIGRATION may: a) Dictate provisions that simplify and streamline the respective administrative procedures. b) Enter into agreements and resort to the collaboration of public or private organizations. c) Develop and implement programs in those areas of the country that require special treatment. d) Enter into agreements with foreign authorities residing in the ARGENTINE REPUBLIC in order to expedite and favor the obtaining of documentation from those countries. e) Establish criteria for exemption from the payment of the migration tax, in cases of poverty or when humanitarian reasons so justify. ARTICLE 61.- When it is verified that a foreigner has distorted the reasons that authorized his entrance to the Argentine territory or remains in it once expired the term of agreed permanence, the NATIONAL DIRECTION OF MIGRATIONS will exhort him in order that, in a term that does not exceed of THIRTY (30) days, he presents himself to regularize his migratory situation having to accompany the necessary documents for it. To such effect, he will be notified in writing, in an understandable way, of the consequences that it will have for him to remain in the warned migratory situation. The NATIONAL DIRECTION OF MIGRATIONS may grant an extension of the agreed term, which may not exceed THIRTY (30) days, when so requested by the interested party and demonstrates acts that demonstrate their intention to regularize the migratory situation. ARTICLE 73: The persons, companies, enterprises, associations or societies that request the entrance, the permanence or the regularization of the migratory situation of a foreigner in the country will have to register in the

NATIONAL REGISTRY UNIQUE OF REQUIRERS OF FOREIGNERS. They must also satisfy the deposit/bail, real or sworn, determined by the NATIONAL DIRECTION OF MIGRATIONS. For these purposes, the background and solvency of the applicant shall be taken into account. If it is appropriate to impose a real bail, it must be set between a minimum of TWO (2) and a maximum of TEN (10) minimum living wages. The NATIONAL DIRECTION OF MIGRATION will determine the form and procedure for the constitution and reimbursement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 16, 17, 61 and 73.

Is regularization through marriage possible:

Answer: No

Code: 0

Explanation: Regularization through marriage is not possible.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: "un extranjero hubiere desnaturalizado los motivos que autorizaron su ingreso al territorio argentino o permaneciera en éste vencido el plazo de permanencia acordado" (Decree 616/2010, Art. 60)/ "a foreigner would have distorted the reasons which authorised his entering Argentine territory or remained in it after the agreed period of permanence has expired".

Code:

Explanation: Not applicable

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 60.

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: Congreso de la Nación Argentina

Code: Congreso de la Nación Argentina

Explanation: Not applicable

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Which institution is in charge of immigration regulation (in English language)?

Answer: Argentine National Congress

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: Congreso de la Nación Argentina

Code: Congreso de la Nación Argentina

Explanation: Not applicable

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Which institution is in charge of immigration regulation (in English language)?

Answer: Argentine National Congress

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: Dirección Nacional de Migraciones & Policía Federal Argentina

Code: Dirección Nacional de Migraciones & Policía Federal Argentina

Explanation: Art. 107 Law 25.871 states that the National Direction of Migrations will be the institution of implementation of the present law, with competence over the admission, authorization of residence and its extension, in the National Territory and abroad, being able to establish for that purpose, new delegations with the aim of authorizing permissions of entrance; extension of stay and changes of qualifications for foreigners. Besides, it will control the entrance and departure of people in the country and will control the stay and the police power of foreigners (el poder de policía de extranjeros) all over the territory of the Republic.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 107.

Which institution is in charge of border control (in English language)?

Answer: National Direction of Migrations & Argentine Federal Police

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: Policía Migratoria Auxiliar

Code: Policía Migratoria Auxiliar

Explanation: Art. 72 Law 25.871 states that the retention will be fulfilled by the members of the institutions of the Policia Migratoria Auxiliar (Auxiliary Migratory Police), who will accommodate the detained people in its facilities, or where the National Direction of Migrations decides to do it, until their departure from the national territory. When due to security reasons or for personal conditions of the expelled person, the custody to the place of destination becomes necessary, the migratory authority will be able to decide and require it to the Auxiliary Migratory Police. In the case of necessity, medical assistance can also be required. *Migratory police: in the case of Argentina is the Naval Prefecture, the National Gendarmerie, the National Aeronautical Police and the Federal Police that are obliged to provide the National Direction of Migrations with the collaboration it may require (Art. 114 law 25.871)

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 72 and 114.

Which institution is in charge of detentions (in English language)?

Answer: Auxiliary Migratory Police

4.8. Proxy: Labor migration (high- and low-skilled)

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: No

Code: No

4.8.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 1

Explanation: temporary residents Art. 23 Law 25.871 states that temporary residents are all those foreigners that, under the conditions that the regulations will establish, enter to the country in the following subcategories: a) Migrant worker: who enters the country to engage in any lawful,

remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependency relationship; (...).

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No sponsorship required.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Yes, required

Code: 0.25

Explanation: The employer has to register itself or the company in the RENURE (Registro Nacional Único de Requirientes Extranjeros- National Registry of Foreign Applicants) plus employment contract for everyone Art. 2 of disposition 54.618/2008. They will be obliged to register in the Registry established in the previous article: a) Any individual or legal entity that, invoking a right or interest that is its own, requests the admission or filing of a foreign person in the National Territory by the criteria mentioned in article 23, paragraphs a), e), f), i) and j) and in article 24 clauses e), f) and h) of Law No. 25,871.

Sources: Disposición 54.618/2008 [Disposition 54.618/2008]. 2008. Art. 2. / Ley N° 25.871 [Law 25.871]. 2013. Art. 24. / Argentina.gov.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gov.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No such labor market test found.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/_/ International Labour Organization. International Labour Standards country profile: Argentina. Access date not available. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102536

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in the explanation).

Answer: No

Code: 1

Explanation: No. There is no provision in the immigration regulation about restriction of nationalities in this entry track. Art. 23 Law 25.871 "Temporary residents" are all those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories (...)

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: No such age limits found

Sources: Ley N° 26.844 [Law 26.844]. 2013.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?

Answer: No

Code: 1

Explanation: No such gender requirement. Gender was not a requisite to be admitted in the country in all different proxies. There is no provision in the immigration regulation about a certain gender requisite but gender should not be an impediment to have equal rights and guarantees Art. 13 Law 25.871 For the purposes of this law, all acts or omissions determined on grounds such as ethnicity, religion, nationality, ideology, political or trade union opinion, sex, gender, economic position or physical characteristics, which arbitrarily prevent, obstruct, restrict or in any way impair the full exercise on an equal basis of the fundamental rights and guarantees recognized in the National Constitution, international treaties and laws, shall be considered discriminatory. Art. 172 Law 20.744 Capacity Prohibition of discriminatory treatment The woman may enter into all kinds of employment contracts, not being able to be enshrined in collective labor agreements, or authorized regulations, any

type of discrimination in her employment based on sex or marital status, although the latter is altered in the course of the employment relationship.

Sources: Ley N° 20.744 [Law 20.744]. 1976. Art. 172. / Ley N° 25.871 [Law 25.871]. 2013. Art. 13.

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about marital status as a requisite to be admitted in the country under the different proxies.

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: There is not a specific condition or monthly amount or income for financial sustainability. But since this category needs a contract as a requirement to entry the country, the law says that the remuneration has to be not less than the minimum wage. Art. 23 Law 25.871 a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship. According to Article 103 Law 20.744, for the purposes of this law, the remuneration that the employee must receive as a result of the employment contract may not be less than the minimum wage.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23. / Ley N° 20.744 [Law 20.744]. 1976. Art. 103.

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation regarding the language (neither as a requirement nor as a benefit)- no demonstration of Spanish language proficiency is required. Beside the state in the following article makes clear- to offer Spanish courses to improve the integration of immigrants. Art. 14 Law 25.871 The State in all its jurisdictions, whether national, provincial or municipal, will favor initiatives aimed at the integration of foreigners in their community of residence, especially those aimed at: a) The completion of Spanish language courses in legally recognized foreign cultural schools and institutions (...)

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 14.

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 2000

Code: 2000

Explanation: 1.000 argentine peso- MERCOSUR countries or associated states. 2.000 argentine peso- countries outside the MERCOSUR.

Sources: Decreto 475/2018 [Decree 475/2018]. 2018.

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The permit can be as short as the short contract if this is less than one year, but generally it would be for 12 months and a maximum of 36 extendable Art. 9 of disposition 40.164 Once all the requirements established in this provision have been met, temporary residence shall be granted for one (1) year, in accordance with Article 23(a) of Law 25,871. If the duration of the employment contract is less than 1 (UN) year, the authorized period of stay shall be equivalent to the duration of that contract. Art. 23 Law 25.871 states that "all those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories shall be considered "temporary residents": a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship (...)".

Sources: Disposición 40.164/2007 [Disposition 40.164/2007]. 2007. Art. 9. / Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: Yes

Code: 1

Explanation: Art. 23 Law 25.871 a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship (...) Art. 25 Law 25.871 Foreigners admitted to the country as "temporary residents" or "transit residents" may remain in the national territory during the period of authorized residence, with their respective extensions, and must leave it at the expiration of this period.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23 and 25.

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: No answer

Code: No answer

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: No

Code: 0

Explanation: Art. 49 Law 26.202 (...) 2. In States of employment where migrant workers are free to choose a remunerated activity, migrant workers shall not be considered to be in an irregular situation, nor shall their authorization of residence be withdrawn, solely on the ground that they have ceased their remunerated activity prior to the expiry of their work permit or similar authorization. 3. In order to allow migrant workers referred to in paragraph 2 of the present article sufficient time to find other remunerated activity, their authorization of residence shall not be withdrawn, at least for a period corresponding to that during which they were entitled to unemployment benefits.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 49.

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Art. 6 Law 25.871 states: “The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about a minimum education level as a requirement. Also, in the documents required to apply, it is not asked for any proof of education.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: No

Code: 1

Explanation: No. Also, in the documents required to apply, it is not asked for any proof of health.

Sources: Argentina.gob.ar. “Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]”. Accessed June 7, 2018.
<https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercotur-residencia-temporaria>.

4.8.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: Transitory residents Art. 24 Law 25.871 states: “The foreigners that enter to the country as <U+2015>transitory residents could be admitted in some of the following subcategories: (...) e) Seasonal Migrant Workers; (...)”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 24.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No sponsorship required.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: The employer has to register itself or the company in the RENURE (Registro Nacional Único de Requerientes Extranjeros- National Registry of Foreign Applicants) plus employment contract for everyone Art. 2 of disposition 54.618/2008 Scope of application. They will be obliged to register in the Registry established in the previous article: a) Any individual or legal entity that, invoking a right or interest that is its own, requests the admission or filing of a foreign person in the National Territory by the criteria mentioned in article 23, paragraphs a), e), f), i) and j) and in article 24 clauses e), f) and h) of Law No. 25,871.

Sources: Disposición 54.618/2008 [Disposition 54.618/2008]. 2008. Art. 2. / Argentina.gob.ar. "Radificaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No labor market test found.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / International Labour Organization. International Labour Standards country profile: Argentina. Access date not available.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102536

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about restriction of nationalities in this entry track. Art. 23 Law 25.871 "Temporary residents" are all those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories (...).

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the polity?

Answer: No

Code: 1

Explanation: No such age limits found

Sources: Ley N° 22.248 [Law 22.248]. 1980.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: No

Code: 1

Explanation: Gender was not a requisite to be admitted in the country in all different proxies. There is no provision in the immigration regulation about a certain gender requisite but gender should not be an impediment to have equal rights and guarantees Art. 13 Law 25.871 For the purposes of this law, all acts or omissions determined on grounds such as ethnicity, religion, nationality, ideology, political or trade union opinion, sex, gender, economic position or physical characteristics, which arbitrarily prevent, obstruct, restrict or in any way impair the full exercise on an equal basis of the fundamental rights and guarantees recognized in the National Constitution, international treaties and laws, shall be considered discriminatory. Art. 172 Law 20.744 states a prohibition of discriminatory treatment: "The woman may enter into all kinds of employment contracts, not being able to be enshrined in collective labor agreements, or authorized regulations, any type of discrimination in her employment based on sex or marital status, although the latter is altered in the course of the employment relationship".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 13. / Ley N° 20.744 [Law 20.744]. 1976. Art. 172.

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about being married as a requisite to be admitted in the country under the different proxies.

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Ley 26.844 [Law 26.844]. 2013. / Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No. There is not a specific condition or monthly amount or income for financial sustainability. But since this category needs a contract as a requirement to entry the country, the law says that the remuneration has to be not less than the minimum wage. Art. 32 Law 26.727 specifies the minimum remuneration: The minimum wages shall be set by the National Commission on Agricultural Labour and shall not be less than the current minimum living wage. The amount will be determined by month, day and hour.

Sources: Ley N° 22.248 [Law 22.248]. 1980. / Ley N° 26.727 [Law 26.727]. 2011. Art. 32. / Argentina.gob.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

IMMIGRATION_51. Is knowledge of the host polity's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation regarding the language (neither as a requirement nor as a benefit)- no demonstration of Spanish language proficiency is required. Beside the state in the following article makes clear- to offer Spanish courses to improve the integration of immigrants. Art. 14 Law 25.871 The State in all its jurisdictions, whether national, provincial or municipal, will favor initiatives aimed at the integration of foreigners in their community of residence, especially those aimed at: a) The completion of Spanish language courses in legally recognized foreign cultural schools and institutions (...).

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 14.

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 600 Argentine peso- MERCOSUR countries or associated states. 900 Argentine peso- countries outside the MERCOSUR.

Code: 600 Argentine peso for MERCOSUR countries or associated states. 900 Argentine peso for countries outside the MERCOSUR.

Explanation: Not applicable

Sources: Decreto 475/2018 [Decree 475/2018]. 2018.

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: 3

Code: 3

Explanation: The term is up to three months and extendable. Statement of the National Head Office of Migrations: "Those who enter for the purpose of carrying out work that by its very nature depends on seasonal conditions and only takes place during part of the year, with a term of up to THREE (3) months that can be extended for another similar period".

Sources: Argentina.gov.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gov.ar/interior/migraciones/radicaciones-no-mercursos-residencia-temporaria>.

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: Yes

Code: 1

Explanation: Yes and they do not need to leave the country for the extension. Statement in the website of the National Direction of Migrations (Dirección Nacional de Migraciones): "Those who enter for the purpose of carrying out work that by its very nature depends on seasonal conditions and only takes place during part of the year, with a term of up to THREE (3) months that can be extended for another similar period. Art. 25 Law 25.871 Foreigners admitted to the country as "temporary residents" or "transit residents" may remain in the national territory during the period of authorized residence, with their respective extensions, and must leave it at the expiration of this period".

Sources: Argentina.gov.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gov.ar/interior/migraciones/radicaciones-no-mercursos-residencia-temporaria>. / Ley N° 25.871 [Law 25.871]. 2013. Art. 25.

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: No

Code: 0

Explanation: Art. 49 Law 26.202 (...) 2. In States of employment where migrant workers are free to choose a remunerated activity, migrant workers shall not be considered to be in an irregular situation, nor shall their authorization of residence be withdrawn, solely on the ground that they have ceased their remunerated activity prior to the expiry of their work permit or similar authorization. 3. In order to allow migrant workers referred to in paragraph 2 of the present article sufficient time to find other remunerated activity, their authorization of residence shall not be withdrawn, at least for a period corresponding to that during which they were entitled to unemployment benefits.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art 49.

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: working conditions of migrant workers are equal to those of native workers. Art. 6 Law 25.871 The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No. There is no provision in the immigration regulation about a minimum education level as a requirement. Also in the documents required to apply, it is not asked for any proof of education.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Argentina.gob.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: No

Code: 1

Explanation: No. Also in the documents required to apply, it is not asked for any proof of health

Sources: Argentina.gob.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 6, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

4.8.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: temporary residents. Art. 23 Law 25.871 states: "Temporary residents will be considered all those foreigners that, under the conditions that the regulations will establish, enter to the country in the following subcategories: a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependency relationship; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_60. Do migrants trying to enter the polity under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No sponsorship required

Sources: Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: The employer has to register itself or the company in the RENURE (Registro Nacional Único de Requerientes Extranjeros- National Registry of Foreign Applicants) plus employment contract for everyone according to Art. 2 of disposition 54.618/2008 . They will be obliged to register in the Registry established in the previous article: a) Any individual or legal entity that, invoking a right or interest that is its own, requests the admission or filing of a foreign person in the National Territory by the criteria mentioned in article 23, paragraphs a), e), f), i) and j) and in article 24 clauses e), f) and h) of Law No. 25,871.

Sources: Disposición 54.618/2008 [Disposition 54.618/2008]. 2008. Art. 2. / Argentina.gob.ar. "Radificaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercosur-residencia-temporaria>.

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: No labor market test found

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/_/ International Labour Organization. International Labour Standards country profile: Argentina. Access date not available.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102536

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: There is no specifically statement about restriction of nationalities. Art. 23 Law 25.871 "Temporary residents" are all those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories (...).

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the country?

Answer: No

Code: 1

Explanation: No age limits found

Sources: Ley N° 17.132 [Law 17.132]. 1967.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the polity under the medical doctor entry track?

Answer: No

Code: 1

Explanation: Gender was not a requisite to be admitted in the country for any of the proxies. There is no provision in the immigration regulation about a certain gender requisite but gender should not be an impediment to have equal rights and guarantees Art. 13 Law 25.871 For the purposes of this law, all acts or omissions determined on grounds such as ethnicity, religion, nationality, ideology, political or trade union opinion, sex, gender, economic position or physical characteristics, which arbitrarily prevent, obstruct, restrict or in any way impair the full exercise on an equal basis of the fundamental rights and guarantees recognized in the National Constitution, international treaties and laws, shall be considered discriminatory. Art. 172 Law 20.744 states a prohibition of discriminatory treatment: "The woman may enter into all kinds of employment contracts, not being able to be enshrined in collective labor agreements, or authorized regulations, any type of discrimination in her employment based on sex or marital status, although the latter is altered in the course of the employment relationship".

Sources: Ley N° 20.744 [Law 20.744]. 1976. Art. 172. / Ley N° 25.871 [Law 25.871]. 2013. Art. 13.

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about marital status as a requisite to be admitted in the country under the different proxies.

Sources: Ley N° 17.132 [Law 17.132]. 1967. / Ley N° 20.744 [Law 20.744]. 1976. / Ley N° 25.871 [Law 25.871]. 2013.

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: There is not a specific condition or monthly amount or income for financial sustainability. But since this category needs a contract as a requirement to entry the country, the law says that the remuneration has to be not less than the minimum wage. Art. 23 Law 25.871 a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship Article 103 Law 20.744 Concept. For the purposes of this law, the consideration that the employee must receive as a result of the employment contract. Said remuneration may not be less than the minimum wage. The employer does not provide the services, simply because he has put his work force at the disposal of the former.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23. / Ley N° 20.744 [Law 20.744]. 1976. Art.103.

IMMIGRATION_68. Is knowledge of the host polity's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the immigration regulation regarding the language (neither as a requirement nor as a benefit)- no demonstration of Spanish language proficiency is required. Beside the state in the following article makes clear- to offer Spanish courses to improve the integration of immigrants. Art. 14 Law 25.871 The State in all its jurisdictions, whether national, provincial or municipal, will favor initiatives aimed at the integration of foreigners in their community of residence, especially those aimed at: a) The completion of Spanish language courses in legally recognized foreign cultural schools and institutions (...).

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 14. / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/. / Argentina.gob.arg. "Medios y Comunicación Pública [Media and Public Communication]". Accessed March 2018. <https://www.deep1.com/en/translator#es/en/Medios%20y%20Comunicaci%C3%B3n%20P%C3%ABlica>.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 2000

Code: 2000

Explanation: 1.000 argentine peso- MERCOSUR countries or associated states. 2.000 argentine peso- countries outside the MERCOSUR.

Sources: Decreto 475/2018 [Decree 475/2018]. 2018.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The permit can be as short as the short contract if this is less than one year, but generally it would be for 12 months and a maximum of 36 extendable Art. 9 of disposition 40.164 Once all the requirements established in this provision have been met, temporary residence shall be granted for one (1) year, in accordance with Article 23(a) of Law 25,871. If the duration of the employment contract is less than 1 (UN) year, the authorized period of stay shall be equivalent to the duration of that contract. Art. 23 Law 25.871: "All those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories shall be considered "temporary residents": b) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship (...)".

Sources: Disposición 40.164/2007 [Disposition 40.164/2007]. 2007. Art. 9. / Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: Yes, and they do not need to leave the country for the extension. Art. 23 Law 25.871 a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, extendable, with multiple entrances and exits, with permission to work under dependence relationship (...) Art. 25 Law 25.871 Foreigners admitted to the country as "temporary residents" or "transit residents" may remain in the national territory during the period of authorized residence, with their respective extensions, and must leave it at the expiration of this period.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23 and 25.

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

Is it possible for a migrant medical doctor to switch locations?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the regulation about the possibility of changing jobs.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Decreto 616/10 [Decree 616/10]. 2010.

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: No

Code: 0

Explanation: Art. 49 Law 26.202 states: "(...) 2. In States of employment where migrant workers are free to choose a remunerated activity, migrant workers shall not be considered to be in an irregular situation, nor shall their authorization of residence be withdrawn, solely on the ground that they have ceased their remunerated activity prior to the expiry of their work permit or similar authorization. 3. In order to allow migrant workers referred to in paragraph 2 of the present article sufficient time to find other remunerated activity, their authorization of residence shall not be withdrawn, at least for a period corresponding to that during which they were entitled to unemployment benefits".

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 49.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Working conditions of migrant workers are equal to those of native workers. Art. 6 Law 25.871 states: "The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: No

Code: 1

Explanation: There is no provision in the immigration regulation about a minimum education level as a requirement. Also, in the documents required to apply, it is not asked for any proof of education.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Argentina.gob.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercotur-residencia-temporaria>.

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: No

Code: 0

Explanation: In the documents required to apply it is not asked for any proof of health

Sources: Argentina.gob.ar. "Radicaciones no Mercosur - Residencia temporaria [Non-Mercosur Settlements - Temporary Residence]". Accessed June 7, 2018. <https://www.argentina.gob.ar/interior/migraciones/radicaciones-no-mercotur-residencia-temporaria>.

4.9. Proxy: Refugees

4.9.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: Yes

Code: 1

Explanation: The Argentine Republic's recognition of refugees is governed by the provisions of international human rights law following the 1951 Convention on the Status of Refugees and its 1967 Protocol.

Sources: Ley 26.165 [Law 26.165]. 2006.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: No

Code: 1

Explanation: There is no provision in the refugee regulation about countries that were for the last year classified as safe.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available. [https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados.](https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados/) / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: No

Code: 1

Explanation: There is no provision in the refugee regulation about countries that were for the last year classified as safe.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available. [https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados.](https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados/) / Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: No

Code: 1

Explanation: The concept of refugee is not restricted to certain nationalities or depending on nationalities- but as stated on the article applicable ON ANY person who fears of persecution in different contexts. Art. 4 Law 26.165 For the purposes of the present law, the term refugee shall apply to any person who: (a) on grounds of well-founded fear of persecution on grounds of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable or unwilling to avail himself /herself of the protection of that country, or who, lacking nationality and being, as a result of such events, outside the country of his/her former habitual residence, is unable or unwilling to return to it. (b) One has fled his/her country of nationality or habitual residence in the event that one has no nationality because their life, security or freedom have been threatened by widespread violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances that have seriously disturbed public order

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 4.

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.

Are there age limits for potential refugees to be admitted to the polity?

Answer: No

Code: 1

Explanation: There is no provision in the refugee regulation that a certain age is beneficial for granting refugee status.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available.
<https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: No

Code: 1

Explanation: There is no provision in the refugee regulation that a certain age is beneficial for granting refugee status.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available.
<https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No, having a certain gender is not a requisite. The legislation applies to any person without gender distinction. Art. 4 of Law 26.165 For the purposes of the present law, the term refugee shall apply to any person who: (a) on grounds of well-founded fear of persecution on grounds of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable or unwilling to avail himself /herself of the protection of that country, or who, lacking nationality and being, as a result of such events, outside the country of his/her former habitual residence, is unable or unwilling to return to it. (b) One has fled his/her country of nationality or habitual residence in the event that one has no nationality because their life, security or freedom have been threatened by widespread violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances that have seriously disturbed public order.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 4.

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No. There is no provision in the refugee regulation regarding a certain marital status as a requisite to be granted refugee status.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available.
<https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

4.9.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination polity's territory?

Answer: No

Code: 0

Explanation: Applications for asylum can be made at the border or on the destination country's territory.

Sources: Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Accessed June 19, 2018. <https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

Can asylum seekers file an application for asylum at the border/ports of entry of polity's territory?

Answer: Yes

Code: 1

Explanation: Formalization of an application for refugee status: IN THE REPUBLIC OF ARGENTINA, RECOGNITION OF REFUGEE STATUS MAY BE APPLIED BEFORE: The Executive Secretariat of the National Commission for Refugees (CONARE). Any DELEGATION OR MIGRATION OFFICE OF THE NATIONAL DIRECTION OF MIGRATIONS (DNM), in the interior of the country. Any other NATIONAL, PROVINCIAL OR MUNICIPAL AUTHORITY. (...) TO TAKE INTO ACCOUNT: It is not possible to apply for refugee status outside Argentina (for example, by going to the Argentine Consulate in your country of origin). The request must be made at the border or within Argentine territory. The procedure can be started and continued in the Delegation closest to your home. It is not necessary to move or live in Buenos Aires where the Secretariat is based.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Can asylum seekers file an application for asylum on the destination polity's territory?

Answer: Yes

Code: 1

Explanation: Formalization of an application for refugee status: IN THE REPUBLIC OF ARGENTINA, RECOGNITION OF REFUGEE STATUS MAY BE APPLIED BEFORE: The Executive Secretariat of the National Commission for Refugees (CONARE). Any DELEGATION OR MIGRATION OFFICE OF THE NATIONAL DIRECTION OF MIGRATIONS (DNM), in the interior of the country. Any other NATIONAL, PROVINCIAL OR MUNICIPAL AUTHORITY. (...) TO TAKE INTO ACCOUNT: It is not possible to apply for refugee status outside Argentina (for example, by going to the Argentine Consulate in your country of origin). The request must be made at the border or within Argentine territory. The procedure can be started and continued in the Delegation closest to your home. It is not necessary to move or live in Buenos Aires where the Secretariat is based.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

4.9.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Temporary, between 12 and 24 months

Code: 5

Explanation: Art. 23 Law 25.871 states: "All those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories shall be considered "temporary residents": (...) (k) Asylum seekers and refugees: Those who are recognized as refugees or refugees shall be granted authorization to reside in the country for a period of two (2) years, renewable as many times as the asylum and refugee enforcement authority deems necessary, taking into account the circumstances determined by the relevant legislation in force...".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23. / Decreto 616/10 [Decree 616/10]. 2010.

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Yes

Code: 1

Explanation: Art. 23 Law 25.871 All those foreigners who, under the conditions established by the regulations, enter the country in the following subcategories shall be considered "temporary residents": (...) (k) Asylum seekers and refugees: Those who are recognized as refugees or refugees shall be granted authorization to reside in the country for a period of two (2) years, renewable as many times as the asylum and refugee enforcement authority deems necessary, taking into account the circumstances determined by the relevant legislation in force.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23. / Decreto 616/10 [Decree 616/10]. 2010.

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Yes, possible to apply for permanent permit after 2-4 years

Code: 2

Explanation: Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentinean, naturalized or by choice; taking into account the principles of unity, support and the scope of the right to (b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. d) Have served as a diplomatic, consular or international official and have remained in their functions in the Argentine territory for the time provided for each case in the preceding paragraph. e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23. / Decreto 616/10 [Decree 616/10]. 2010.

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Yes

Code: 0

Explanation: If the country is no more dangerous, refugees lose their status. However there is an exception if refugees can prove that the situation may be still dangerous. As stated in the website of the Co.Na.Re: By nature, refugee status is temporary, that is, it is maintained for as long as the circumstances that led a person to flee his or her country of origin last. When these circumstances disappear, refugee status may cease. This is a decision to be taken by CONARE, but it is not automatic and the refugee has the opportunity to express whether he or she has compelling reasons for not wanting to return to his or her country. Cessation of refugee status Art. 11 Law 26.165 states: "Refugee status shall cease to be applicable to any person who: (a) He/she has again voluntarily availed himself/herself of the protection of the country of his nationality; (b) Having lost his/her nationality, he/she has voluntarily regained it; (c) Has acquired a new nationality and enjoys the protection of the country of his/her new nationality; (d) Has voluntarily settled in the country which he/she had left or remained outside for fear of persecution; (e) He/She cannot continue to refuse to avail himself/herself of the protection of the country of his/her nationality, as the circumstances under which he/she was recognized as a refugee have disappeared; (f) In the case of a person who is not a national and who, because the circumstances under which he or she was recognized as a refugee have disappeared, is able to return to the country of his or her habitual residence. A person covered by assumptions (e) and (f) of this article who can invoke compelling reasons arising from the serious persecution for which he/she originally left his country of nationality or habitual residence or who, in his particular case and despite the change in circumstances in general, maintains a well-founded fear of persecution on grounds of race, religion, nationality, membership of a particular social group or political opinion, shall not cease to be a refugee."

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Accessed June 19, 2018. <https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

4.9.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: No answer

Code: Not applicable

Explanation: There is no provision in the refugee regulation regarding a specific time to process the application of asylum seekers. Statement from Co.Na.Re: There is no pre-established legal deadline within which CONARE (National Commission for Refugees) must decide on an application. However, the resolution must be within a reasonable period of time. The time it takes to resolve a case will depend on the complexity of each case (the most obvious cases are channeled through an accelerated procedure), and on the information and documentation provided by the applicant.

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Accessed June 19, 2018. <https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

What is the maximum of days?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Yes

Code: 1

Explanation: Art. 50 Law 26.165 states: "Once the resolution has been issued by the Commission in the first instance, the Executive Secretariat shall immediately notify written the applicant, who may file a hierarchical appeal in writing within ten days following the date of notification. The appeal must be founded and filed with the Executive Secretariat of the National Commission and submitted to the Minister of the Interior, after the intervention of the National Human Rights Secretariat. The lodging of administrative or judicial appeals shall suspend the execution of the measures ordered until they become final".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 50.

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: No

Code: 0

Explanation: Not to a migrant worker visa, but to permanent residency. Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove: (...) e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter."

Sources: Ley N° 26.165 [Law 26.165]. 2006. / Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

4.9.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: No

Code: 4

Explanation: Art. 40 Law 26.165 states: "Criminal or administrative sanctions shall not be imposed on the applicant for refugee status for reasons of illegal entry into the country, provided that he/she presents him/herself without delay to the authorities and alleges justified cause for his/her illegal entry or stay. The competent authority shall not apply driving restrictions other than those strictly necessary and only until the applicant's situation in the country has been regularized. In the event that criminal or administrative proceedings have been initiated for illegal entry, these proceedings shall be suspended until the applicant's refugee status has been determined by a final decision. In the case of recognition of refugee status, the administrative or criminal proceedings opened against the refugee on the grounds of illegal entry shall be revoked if the offences committed are justified by the grounds for recognition as a refugee".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 40.

Are asylum seekers detained after their claims are processed?

Answer: No

Code: 2

Explanation: Art. 40 Law 26.165 states: "Criminal or administrative sanctions shall not be imposed on the applicant for refugee status for reasons of illegal entry into the country, provided that he/she presents him/herself without delay to the authorities and alleges justified cause for his/her illegal entry or stay. The competent authority shall not apply driving restrictions other than those strictly necessary and only until the applicant's situation in the country has been regularized. In the event that criminal or administrative proceedings have been initiated for illegal entry, these proceedings shall be suspended until the applicant's refugee status has been determined by a final decision. In the case of recognition of refugee status, the administrative or criminal proceedings opened against the refugee on the

grounds of illegal entry shall be revoked if the offences committed are justified by the grounds for recognition as a refugee”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 40.

4.9.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Not specified in regulations

Code: 5

Explanation: If the application is rejected they obtain a temporary certificate allowing them to stay legally until a final decision is taken. Art. 51 Law 26.165 states: “The receiving authority shall grant the applicant and the accompanying family group a provisional document allowing them to legally remain in the national territory and perform remunerated tasks and have access to basic social, health and educational services and benefits. This document shall be renewable until a final decision is taken on the application for refugee status”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Yes

Code: 1

Explanation: Art. 43 Law 26.165 states: “In order to facilitate the economic support of the applicants for refugee status, the Executive Secretariat shall negotiate with the Ministry of Labor, Employment and Social Security the issuance of a temporary work permit for the applicant and the members of his/her family of working age within THIRTY (30) days from the registration of the application”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 43.

4.9.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Yes

Code: 1

Explanation: Yes, in all stages of the process. Art. 32 Law 26.165 states that: “The procedure for determining refugee status shall be carried out in accordance with the principles of confidentiality and due process of law. In particular, an applicant for refugee status has the right to be assisted free of charge by a qualified translator or interpreter if he or she does not understand or speak the national

language; he or she should be given adequate time and means to prepare for the defense of his or her interests and should have the right to be assisted by an advocate at all stages of the proceedings. The Commission should coordinate the necessary actions for the accessibility of free and appropriate legal services for asylum seekers”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 32.

4.10. Proxy: Co-ethnics

4.10.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: There is no co-ethnic category in Argentina.

Sources: Not applicable

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: No such co-ethnic proxy exists

Sources: Not applicable

IMMIGRATION_96. Register the name of the group(s).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.2. Reasons for co-ethnicity

IMMIGRATION_97. Reasons for co-ethnicity.

Shared language:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared religion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared ancestry:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Citizen of former colony:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Ill treatment by country in the past:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Self-declaration: avowal to be of country's ethnicity:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_98. May converts apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.5. Place of application

IMMIGRATION_102. Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can applicants file an application on host country's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5. Immigrant policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: Yes

Code: 1

Explanation: Yes. Art. 20 Law 25.871 Foreigners shall be admitted to enter and remain in the country in the categories of "permanent residents", "temporary residents", or "temporary residents". Pending completion of the relevant formalities, the enforcement authority may grant an authorization for 'precarious residence', which may be revoked by it, if the reasons for granting it are distorted. Its validity will be of up to one hundred and eighty (180) calendar days, and may be renewable until the resolution of the admission requested, and will enable its holders to stay, leave and re-enter the national territory, work and study during its period of validity.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 20.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies.

Do asylum seekers have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Yes. Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove (...) (e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum-seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

Do refugees have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Yes. Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove (...) (e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum-seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

Do co-ethnics have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Yes. Since this proxy is first in the category of temporary residents, they can after some conditions change the category to permanent residents. Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove: (...) c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he/she is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONSS according to the type of temporary residence in question. (...)"

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

Do agricultural workers have access to permanent residence?

Answer: No

Code: 0

Explanation: No, with this permit they are just allow staying short periods and therefore cannot access to permanent residence.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

Do medical doctors have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Yes. Since this proxy is first in the category of temporary residents, they can after some conditions change the category to permanent residents. Art. 22 Decree 616/10 states: "The foreigner who applies for permanent residence must prove: (...) c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he/she is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONSS according to the type of temporary residence in question. (...)"

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: 36

Code: 36

Explanation: 3 years of temporary residence and meet criteria a), b) or c) Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine, naturalized or by option; taking into account the principles of unity, support and the scope of the right to b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. d) Have served as a diplomatic, consular or international official and have remained in their functions in the Argentine territory for the time provided for each case in the preceding paragraph. e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: 36

Code: 36

Explanation: 3 years of temporary residence and meet criteria a), b) or c) Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine, naturalized or by option; taking into account the principles of unity, support and the scope of the right to b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. d) Have served as a diplomatic, consular or international official and have remained in their functions in the Argentine territory for the time provided for each case in the preceding paragraph. e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: 36

Code: 36

Explanation: 3 years temporary residence. Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine, naturalized or by option; taking into account the principles of unity, support and the scope of the right to (b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he/she is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. (...)"

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: 36

Code: 36

Explanation: 3 years temporary residence. Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine,

naturalized or by option; taking into account the principles of unity, support and the scope of the right to (b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he/she is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. (...)"

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: There is no provision in the regulation about periods of absence.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: There is no provision in the regulation about periods of absence.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 24

Code: 24

Explanation: Yes, periods of absence are allowed, however there is no provision in the immigration regulation about an exactly period of absence Art. 62 Law 25.871 states: "The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrations could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)". Art. 38 Law 26.202 1. states: "States of employment shall make every effort to authorize migrant workers and members of their families to be temporarily absent without affecting their authorization to stay or work, as the case may be. In so doing, States of employment should bear in mind the special needs and obligations of migrant workers and members of their families, particularly in their States of origin. 2. Migrant workers and members of their families shall have the right to be fully informed of the conditions under which such temporary absences are authorized".

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 38. / Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 24

Code: 24

Explanation: Periods of absence are allowed, however there is no provision in the immigration regulation about an exactly period of absence. Art. 38 Law 26.202 states: “1. States of employment shall make every effort to authorize migrant workers and members of their families to be temporarily absent without affecting their authorization to stay or work, as the case may be. In so doing, States of employment should bear in mind the special needs and obligations of migrant workers and members of their families, particularly in their States of origin. 2. Migrant workers and members of their families shall have the right to be fully informed of the conditions under which such temporary absences are authorized”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 38.

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: temporal residence permit

Code: 0.25

Explanation: This is not stated at the level of Law 25.871 or Decree 606/2010, but telling from the last measure that regularized Haitian migrants in 2017, regularization leads to a temporary residence permit. In 2017 there was a regularization program for Haitian Migrants, as revealed by the Disposición 1143-E/2017, which according to its Art. 1: “authorizes for the term of six (6) months from the entry into force of this provision, the granting of temporary residence within the framework of the provisions of Article 23 paragraph m) of Law No. 25.871 and its Regulatory Decree No. 616 of May 3, 2010, to nationals from the REPUBLIC OF HAITI, holders of ordinary passports issued by a competent authority, who, having entered the ARGENTINE REPUBLIC as tourists before March 1, 2017, could not fit into any of the other criteria established in the Immigration Law for access to a temporary residence”.

Sources: Disposición E1143-E/2017 [Disposition E 1143/2017]. 2017. Art.1.

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No, there is not a language requirement for accessing permanent residence. Also in the documents that have to be presented is not listed as a requirement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. “Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]”. Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Is there a language requirement for refugees to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No, there is not a language requirement for accessing permanent residence. Also in the documents that have to be presented is not listed as a requirement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Is there a language requirement for co-ethnics to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No, there is not a language requirement for accessing permanent residence. Also in the documents that have to be presented is not listed as a requirement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Is there a language requirement for agricultural workers to access permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for medical doctors to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No, there is not a language requirement for accessing permanent residence. Also in the documents that have to be presented is not listed as a requirement.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: none or below level of social assistance and no income source is excluded

Code: 1

Explanation: None Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine, naturalized or by option; taking into account the principles of unity, support and the scope of the right to b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. d) Have served as a diplomatic, consular or international official and have remained in their functions in the Argentine territory for the time provided for each case in the preceding paragraph. e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: none or below level of social assistance and no income source is excluded

Code: 1

Explanation: None Art. 22 Decree 616/2010 states: "The foreigner who applies for permanent residence must prove: a) Be the spouse, parent or child of a native Argentine, naturalized or by option; taking into account the principles of unity, support and the scope of the right to b) Be the spouse, parent, unmarried child under the age of EIGHTEEN (18) or older with different capacity of a permanent resident, taking into account the principles of unity, support and the scope of the right to family reunification set out in the relevant legislation and in Article 10 of these Regulations. c) To have roots due to having enjoyed temporary residence for TWO (2) continuous years or more, if he is a national of the countries of the SOUTH COMMON MARKET (MERCOSUR) or Associated States; and THREE (3) continuous years or more, in other cases. Likewise, it must comply with the other conditions determined by the NATIONAL DIRECTION OF MIGRATIONS according to the type of temporary residence in question. d) Have served as a diplomatic, consular or international official and have remained in their functions in the Argentine territory for the time provided for each case in the preceding paragraph. e) Have the status of refugee and meet any of the criteria set out in subparagraphs (a), (b) or (c) of this article; and the asylum seeker who, by fulfilling the aforementioned criteria, has obtained the authorization of the competent authority in the matter".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Above other documents that have to be presented is required a certification done in front of a public notary confirming labor continuity that includes the employer's CUIT number, address where the tasks are performed, duration of the tasks, employee's CUIL number, salary to be received and work schedule.

Sources: Argentina.gob.ar. "Cambio de Categoría para ciudadanos extranjeros no Mercosur - trabajador contratado [Change of Category for Non-MERCOSUR Foreign Nationals - Contracted Worker]". Accessed March 16, 2018. <https://www.argentina.gob.ar/cambio-de-categoria-para-ciudadanos-extranjeros-no-mercosur-trabajador-contratado>.

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Above other documents that have to be presented is required a certification done in front of a public notary confirming labor continuity that includes the employer's CUIT number, address

where the tasks are performed, duration of the tasks, employee's CUIL number, salary to be received and work schedule.

Sources: Argentina.gob.ar. "Cambio de Categoría para ciudadanos extranjeros no Mercosur - trabajador contratado [Change of Category for Non-MERCOSUR Foreign Nationals - Contracted Worker]". Accessed March 16, 2018. <https://www.argentina.gob.ar/cambio-de-categoria-para-ciudadanos-extranjeros-no-mercosur-trabajador-contratado>.

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: 6000

Code: 6000

Explanation: 6.000 Argentine peso- 408 US dollars for countries outside the MERCOSUR.

Sources: Decreto 475/2018 [Decree 475/2018]. 2018.

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: 408

Code: 408

Explanation: 6.000 Argentine peso- 408 US dollars for countries outside the MERCOSUR.

Sources: Decreto 475/2018 [Decree 475/2018]. 2018.

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: Permanent residence application does not require sponsorship of any kind in Argentina.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Do refugees have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: Permanent residence application does not require sponsorship of any kind in Argentina.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Cambio de Categoría para ciudadanos extranjeros no Mercosur - trabajador contratado [Change of Category for Non-MERCOSUR Foreign Nationals - Contracted Worker]". Accessed March 16, 2018. <https://www.argentina.gob.ar/cambio-de-categoria-para-ciudadanos-extranjeros-no-mercosur-trabajador-contratado>.

Do co-ethnics have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: Permanent residence application does not require sponsorship of any kind in Argentina.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Cambio de Categoría para ciudadanos extranjeros no Mercosur - trabajador contratado [Change of Category for Non-MERCOSUR Foreign Nationals - Contracted Worker]". Accessed March 16, 2018. <https://www.argentina.gob.ar/cambio-de-categoria-para-ciudadanos-extranjeros-no-mercosur-trabajador-contratado>.

Do agricultural workers have to be sponsored by an employer?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: Permanent residence application does not require sponsorship of any kind in Argentina.

Sources: Decreto 616/10 [Decree 616/10]. 2010. / Argentina.gob.ar. "Cambio de Categoría para ciudadanos extranjeros no Mercosur - trabajador contratado [Change of Category for Non-MERCOSUR Foreign Nationals - Contracted Worker]". Accessed March 16, 2018. <https://www.argentina.gob.ar/cambio-de-categoria-para-ciudadanos-extranjeros-no-mercosur-trabajador-contratado>.

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: 998

Code: 998

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for asylum seekers:

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for refugees in months:

Answer: 998

Code: 998

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for refugees:

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length

Sources:

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: 998

Code: 998

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for domestic workers:

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for agricultural workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors in months:

Answer: 998

Code: 998

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

Maximum length of application procedure for medical doctors:

Answer: no regulation on maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Migraciones. "Dirección Nacional de Migraciones [National Directorate of Migration]". Accessed March 2018. http://www.migraciones.gov.ar/site_docs/.

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: yes

Code: 1

Explanation: Art. 29 Law 25.871 states: "They will be impeding causes of the entry and permanence of foreigners to the National Territory: (a) The submission of materially or ideologically false or adulterated national or foreign documents to the authority. The act will be sanctioned with a re-entry ban for a minimum period of five (5) years; (b) Be prohibited from entering the country, have been the subject of expulsion orders or re-entry bans, until such time as they have been revoked or the time

limit set for this purpose has been met; c) Having been convicted or serving a sentence, in Argentina or abroad, or having a record of trafficking in arms, persons, narcotics or money laundering or investments in illicit activities or an offence that merits a prison sentence of three (3) years or more under Argentine law; (d) To have committed or participated in acts of government or other acts which constitute genocide, war crimes, acts of terrorism or crimes against humanity and any other act liable to be tried by the International Criminal Court; e) Having a record of terrorist activities or belonging to national or international organizations recognized as having been accused of actions liable to be tried by the International Criminal Court or by Law 23.077 on the Defense of Democracy; f) Having been convicted in Argentina or having a criminal record for promoting or facilitating, for profit, the illegal entry, stay or departure of foreigners in the National Territory; g) Having been convicted in Argentina or having a criminal record for having submitted material or ideologically false documents, in order to obtain for himself or herself or for a third party an immigration benefit; h) Promote prostitution; make a profit from it; have been convicted or have a record of having promoted prostitution in Argentina or abroad; for making a profit from it or for carrying out activities related to trafficking or sexual exploitation of persons; i) Attempt to enter or have entered the National Territory avoiding immigration control or by place or time not authorized for that purpose; j) The existence of any of the impediments to filing established in this law must be established; k) Failure to comply with the requirements of this law”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 29.

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Rejected applicants have the right to appeal:

Answer: yes

Code: 1

Explanation: “Objeto de Recurso de Reconsideración” - object of Appeal for Reconsideration in Argentina can be done in the following cases as described in the following article and with possibilities of appeal as described below: Art. 74 Law 25.871 states: “Against the decisions of the National Direction of Migrations that have the character of definitive or that totally prevent the processing of the claim or claim of the interested party and against the interlocutors of mere procedure that injure subjective rights or a legitimate interest, the review will proceed in administrative and judicial headquarters, when: (a) The admission or stay of a foreigner is denied; (b) The permanent, temporary or transitory residence permit is cancelled; (c) A foreigner is ordered to leave the country or deported; d) The application of fines and sureties or their enforcement is resolved”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 74.

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulation in this matter.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: yes

Code: 1

Explanation: Yes. Each province has the independence to regulate the exercise of rights in their respective jurisdiction. Art. 5 of the Constitution states: "Each province will dictate for itself a Constitution under the representative republican system, in accordance with the principles, declarations and guarantees of the National Constitution; and that assures its administration of justice, its municipal regime, and primary education. Under these conditions, the federal government guarantees each province the enjoyment and exercise of its institutions".

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 5.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: yes

Code: 1

Does the country have a bicameral system (composed of a Lower House and an Upper House)?

Answer: yes

Code: 1

Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents are not eligible to vote in national elections (president, vice president, national senator, and national deputy). But they are authorized to vote in provinces according to the respective legislation and specific conditions (the regulations here are done in a subnational level). In this case it differs from province to province, some of them empower these citizens to vote in provincial and municipal offices, others only allow voting in municipal offices, while others do not. Art. 1 of Law 19.945 states: "Voters are native Argentines and by option, from the age of sixteen (16) years, and naturalized Argentines, from the age of eighteen (18) years, who do not have any of the disqualifications provided for in this law".

Vanina Modolo describes that the different constitutions of each province regulate the voting eligibility. One of the most extensive legislations at the subnational level is that of the Province of Buenos Aires, due to the fact that the foreigners in a regular administrative situation have the right to vote, both in elections provincial as well as municipal. That is, they are entitled to elect governors, vice-governor, deputies and provincial senators, mayors and councilors. For this purpose, a special register of foreigners with two years of immediate residence is drawn up in the territory of the Province of Buenos Aires for those who can read and write in the national language.

In the case of the Province of Santa Fe, foreigners with permanent residence or cannot vote for offices at the provincial level. Foreigners can only vote in the municipal level. It is established that in the municipalities the following may vote foreigners voluntarily registered in a special register, who have a minimum residence in the municipality of two years. In addition, they must meet at least one of the following requirements: being a self-employed person or a taxpayer within the municipality, or having a familial relationship to an Argentine (partnership or parenthood).

In the Province of Formosa, electoral suffrage is an inherent right exclusively for Argentine nationals. In other words, resident foreigners are not granted the passive electoral right at the municipal or provincial level.

Sources: Decreto N° 2135 [Decree 2135]. 1983. / Modolo, Vanina. 2014. "Participación política de los migrantes. Reflexiones sobre la extensión de la ciudadanía en Argentina". *Revista Mexicana de Ciencias Políticas y Sociales* 59 (220): 349-70. [https://doi.org/10.1016/S0185-1918\(14\)70810-4](https://doi.org/10.1016/S0185-1918(14)70810-4).

Can non-citizen residents vote in national legislative elections (Lower House)?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents are not eligible to vote in national elections (president, vice president, national senator, and national deputy).

Sources: Decreto N° 2135 [Decree 2135]. 1983.

Can non-citizen residents vote in national legislative elections (Upper House)?

Answer: generally disenfranchised

Code: 0

Explanation: Foreign residents are not eligible to vote in national elections (president, vice president, national senator, and national deputy).

Sources: Decreto N° 2135 [Decree 2135]. 1983.

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Lower House elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Upper House elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: active registration, once-off

Code: 0.67

Explanation: The conditions and procedure differ from province to province.

Automatic: Buenos Aires (province), Autonomous City of Buenos Aires.

Active, once-off/long term renewal: Entre Ríos, Corrientes, Misiones, Catamarca, Salta, La Rioja, Neuquén. Active, frequent renewal (every elections) OR requiring additional proofs compared to citizen residents (e.g. oaths or language tests): Chubut, Santa Cruz, Río Grande (Tierra de Fuego), Ushuaia (Tierra de Fuego), Río Negro, San Juan, San Luis, Córdoba, Santa Fe, Chaco, Santiago del Estero, La Pampa, Missing: Jujuy, Tucumán, Mendoza.

Sources: Emmerich, Norberto. 2011. "El sufragio transnacional en Argentina: Problemas y posibilidades." *Universidad de Belgrano - Documentos de Trabajo*, no. 269.

http://www.ub.edu.ar/investigaciones/dt_nuevos/269_Emmerich.pdf.

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Article 89 of the Constitution states: "To be elected President or Vice President of the Nation, it is required to have been born in the Argentine territory, or to be the child of a native citizen, having been born in a foreign country; and the other qualities required to be elected Senator."

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 89. / Emmerich, Norberto Access to Electoral Rights: Argentina. Fiesolana, 2016. Access date not available. / Tribunal Electoral. "Requisitos para ser candidato a diputado provincial en El Chaco [Requirements to be a Candidate for Provincial Deputy in Chaco]". Accessed August 16, 2018. <http://www.electoralchaco.gov.ar/informacion/13-informacion/301-requisitos-para-ser-candidato-a-diputado-provincial.html>.

Can non-citizen residents stand as candidates in national legislative elections (Lower House)?

Answer: generally disenfranchised

Code: 0

Explanation: Article 55 of the Constitution states: "The requirements to be elected senator are: to be thirty years old, to have been a citizen of the Nation for six years..."

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55. / Emmerich, Norberto Access to Electoral Rights: Argentina. Fiesolana, 2016. Access date not available. / Tribunal Electoral. "Requisitos para ser candidato a diputado provincial en El Chaco [Requirements to be a Candidate for Provincial Deputy in Chaco]". Accessed August 16, 2018. <http://www.electoralchaco.gov.ar/informacion/13-informacion/301-requisitos-para-ser-candidato-a-diputado-provincial.html>.

Can non-citizen residents stand as candidates in national legislative elections (Upper House)?

Answer generally disenfranchised

Code: 0

Explanation: Article 55 of the Constitution states: "The requirements to be elected senator are: to be thirty years old, to have been a citizen of the Nation for six years..."

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55. / Emmerich, Norberto Access to Electoral Rights: Argentina. Fiesolana, 2016. Access date not available. / Tribunal Electoral. "Requisitos para ser candidato a diputado provincial en El Chaco [Requirements to be a Candidate for Provincial Deputy in Chaco]". Accessed August 16, 2018. <http://www.electoralchaco.gov.ar/informacion/13-informacion/301-requisitos-para-ser-candidato-a-diputado-provincial.html>.

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in lower house elections:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: not legally allowed

Code: 0

Explanation: According to the Organic Law on Political Parties those excluded from the electoral roll cannot be affiliated to political parties.

Sources: Ley N° 23.298 [Law 23.298]. 1985. Art. 24.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: no

Code: 0

Explanation: None found.

Sources: Not applicable

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Yes, according to Art. 6 of the Law 25.871 the State in all its jurisdictions shall ensure equal access to immigrants and their families in the same conditions of protection and rights as those

enjoyed by nationals, in particular with regard to social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Can refugees access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Yes, according to Art. 6 of the Law 25.871 the State in all its jurisdictions shall ensure equal access to immigrants and their families in the same conditions of protection and rights as those enjoyed by nationals, in particular regarding social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Can co-ethnics access the labor market?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Yes, according to Art. 6 of the Law 25.871 the State in all its jurisdictions shall ensure equal access to immigrants and their families in the same conditions of protection and rights as those enjoyed by nationals, in particular regarding social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Can agricultural workers access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Yes, according to Art. 6 of the Law 25.871 the State in all its jurisdictions shall ensure equal access to immigrants and their families in the same conditions of protection and rights as those enjoyed by nationals, in particular regarding social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Can medical doctors access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: According to Art. 13 of Law 17.132 the practice of medicine shall only be authorized to doctors, surgeons or medical doctors, after obtaining the corresponding registration, which for those who obtained a degree from a foreign university implies a revalidation process at a National University. This Law also states that foreign professionals hired by public or private institutions for the purposes of research, advice, teaching and/or to consult such institutions may exercise their profession only during the term of their contract and within the limits regulated, and may not exercise their profession privately; that professionals not domiciled in the country and called in for assistance must be called in by a registered professional, and shall limit their activity to the case for which they have been specially requested, under the conditions regulated; that foreign professionals who are refugees in the country and who have been authorized by virtue of article 4, paragraph f) of Decree number 6,216/44 (Law 12,912), may exercise their profession provided that they can prove their professional practice to the Ministry of Public Health and that they are domiciled in the country as soon as they enter the country.

Sources: Ley 17.132 [Law 17.132]. 1967. Art. 13. / Decreto Ley 6.216/44 [Decree 6.216/44]. 1944. Art. 4.

Can permanent residents access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Yes, according to Art. 6 of the Law 25.871 the State in all its jurisdictions shall ensure equal access to immigrants and their families in the same conditions of protection and rights as those enjoyed by nationals, in particular regarding social services, public goods, health, education, justice, work, employment and social security.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: Yes

Code: 1

Explanation: Art. 51 of the Law 26.165 states that the asylum seekers will get a provisional document that will allow the applicants and their families to remain legally in the territory and take up remunerated employment and access basic social, health and education benefits and services. This document is renewable until the application for the recognition as a refugee is decided upon.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

Can refugees access self-employment?

Answer: Yes

Code: 1

Explanation: According to Law 26.165 refugees shall obtain an identity document that will allow them to fully exercise their civil, economic, social and cultural rights as any other resident foreigner in the country.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

Can co-ethnics access self-employment?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access self-employment?

Answer: no

Code: 0

Explanation: No. To retain the visa status, the visa holder needs to hold another formal employment contract. Art. 23 of Law 25.871 states: "(...) a) Migrant worker: who enters the country to engage in any lawful, remunerated activity, with authorization to remain in the country for a maximum of three (3) years, renewable, with multiple entries and exits, with permission to work under a dependency relationship; (...)"

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 23.

Can agricultural workers access self-employment?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: According to Art. 52 of the Law 25.871, foreigners admitted or authorized as "temporary residents" in the subcategory of "seasonal migrant workers" may be authorized to work for a period of time and according to the modalities established by the National Direction of Migration.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 52.

Can medical doctors access self-employment?

Answer: no

Code: 0

Explanation: No. According to Art. 13 of Law 17.132, the practice of medicine shall only be authorized to doctors, surgeons or medical doctors, after obtaining the corresponding registration. It might be exercised by: (...) e) foreign professionals hired by public or private institutions for the purposes of research, advice, teaching and/or to consult such institutions, during the term of their contract and within the limits regulated, and may not exercise their profession privately; (...)

Sources: Ley N° 17.132 [Law 17.132]. 1967. Art. 13.

Can permanent residents access self-employment?

Answer: yes, equal access

Code: 1

Explanation: Yes, equal access Art. 51 Law 25.871 states that: "Foreigners admitted or authorized as "permanent residents" may carry out any remunerated or lucrative task or activity, on their own account or in a relationship of dependency, enjoying the protection of the laws governing the matter. Foreigners admitted or authorized as "temporary residents" may develop them only during the period of their authorized stay".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 51.

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 57. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can refugees access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 59. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can co-ethnics access employment in schools (primary and secondary)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 57. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can agricultural workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is

possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 57. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can medical doctors access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 57. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can permanent residents access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: The access to this profession is not guaranteed to be equal to those of Argentine nationals because in Argentina the possibility to become a teacher is regulated on a federal basis in the so called "Estatutos del docente". As an example, in the case of the province of Buenos Aires it is possible after five years of residence, but in the case of the province of Mendoza it is not. Art. 57 of Law 10579 of the province of Buenos Aires states states: "To apply for admission to the teaching profession as head teacher, the applicant must meet the following requirements: a) (Text according to Law 13936) To be an Argentine native, by choice, naturalized or foreigner, in these last two cases to have resided in the country for at least five years and to be fluent in Spanish.". In contrast, Art. 16 of Law 4.934 of the Province of Mendoza states: "In order to enter the teaching profession, the applicant must comply with the following general conditions: a) To be Argentine native, by choice or naturalized, and to master the Spanish language".

Sources: Ley N° 10579 [Law 10579]. 1987. Art. 57. / Ley N° 4.934 [Law 4.934]. 1987. Art.16.

Can asylum seekers access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4, Chapter 2, of Law 25.164 states that “The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be an Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction”.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can refugees access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4, Chapter 2, of Law 25.164 states that “The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be an Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction”.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can co-ethnics access employment in public administration?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4 Chapter 2 Law 25.164 The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can agricultural workers access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4, Chapter 2, of Law 25.164 states that “The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be an Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction”.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can medical doctors access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4, Chapter 2, of Law 25.164 states that “The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be an Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction”.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can permanent residents access employment in public administration?

Answer: no

Code: 0

Explanation: Art. 4, Chapter 2, of Law 25.164 states that: “The entry to the National Public Administration will be subject to the previous accreditation of the following conditions: Be an Argentine native, by choice or naturalized. The Head of the Cabinet of Ministers may exempt from this requirement by providing a precise and detailed justification of the requesting jurisdiction”.

Sources: Ley N° 25.164 [Law 25.164]. 1999. Art. 4.

Can asylum seekers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that: “Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law”.

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley 24.429 [Law 24.429]. 1994.

Can refugees access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that "Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law".

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley N° 24.429 [Law 24.429]. 1994.

Can co-ethnics access employment in the police?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that "Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law".

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley N° 24.429 [Law 24.429]. 1994.

Can agricultural workers access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that "Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law".

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley N° 24.429 [Law 24.429]. 1994.

Can medical doctors access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that "Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law".

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley N° 24.429 [Law 24.429]. 1994.

Can permanent residents access employment in the police?

Answer: no

Code: 0

Explanation: Art. 38 of the Law 21.965 states that “Admission to the Police School shall be granted only to native Argentines who meet the requirements established in the Regulations of this Law”.

Sources: Ley N° 21.965 [Law 21.965]. 1979. Art. 38. / Ley N° 24.429 [Law 24.429]. 1994.

Quotas for preferential hiring of asylum seekers exist:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quotas for preferential hiring of refugees exist:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quotas for preferential hiring of co-ethnics exist:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quotas for preferential hiring of agricultural workers exist:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quotas for preferential hiring of medical doctors:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Quotas for preferential hiring of permanent residents:

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Can asylum seekers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service.

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

Can refugees access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service.

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

Can co-ethnics access employment in the armed forces?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

Can agricultural workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service.

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

Can medical doctors access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service.

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

Can permanent residents access employment in the armed forces?

Answer: no

Code: 0

Explanation: Art. 26 of the Law 23.554 states that the Military Service shall be that performed by Argentine nationals incorporated into the Armed Forces in the Conscription Service or in the reserve, summoned by the National Executive Power, in accordance with the provisions of Article 21 of the National Constitution and those voluntarily incorporated into the conscription, in accordance with the rules governing the matter and those duly sanctioned in order to contribute to greater continuity and professionalism in this service.

Sources: Ley N° 23.554 [Law 23.554]. 1988. Art. 26.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, they have equal access as nationals.

Sources: Consultation with expert, Gerencia de empleo de la Plata 22. February 2017.

Can refugees access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, they have equal access as nationals and they have access explicitly to the program offered by the Ministry of Labour, Employment and Social Security called “Seguro de capacitación y empleo” [training and employment insurance].

Sources: Decreto 336 [Decree 336]. 2006. / Resolución 723/2012 [Resolution 73/2012]. 2012. / Argentina.gob.ar. “Seguro de capacitación y empleo [Training and Employment Insurance]”. Accessed August 8, 2018. http://trabajo.gob.ar/downloads/coc/faq_seguro_cap_y_empleo.pdf. / Consultation with expert, Gerencia de empleo de la Plata. February 22, 2017.

Can co-ethnics access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, according to Art. 43 of Law 26.202, “1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (...) (b) Access to vocational guidance and placement services; (...)”. Art. 54 of the same Law 26.202 further states that “Without prejudice to the conditions of their residence permit or work permit or to the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (a) Protection against dismissal; (b) Unemployment benefits; (c) Access to public works programs to combat unemployment; (...)”. They also have access to the “Oficinas de empleo”, a network of employment offices offered by the Ministry of Labour, Employment and Social Security Network, that provide personalized attention, permanent accompaniment, guidance and information on the local labor market.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 43. / Argentina.gob.ar. “Oficinas de empleo [Employment Offices]”. Accessed September 8, 2018. <http://www.trabajo.gob.ar/mapaoe/index.asp>. / Consultation with expert, Gerencia de empleo de la Plata. February 22, 2017.

Can agricultural workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, according to Art. 43 of Law 26.202, “1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (...) (b) Access to vocational guidance and placement services; (...)”. Art. 54 of the same Law 26.202 further states that “Without prejudice to the conditions of their residence permit or work permit or to the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (a) Protection against dismissal; (b) Unemployment benefits; (c) Access to public works programs to combat unemployment; (...)”. They also have access to the “Oficinas de empleo”, a network of employment offices offered by the Ministry of Labour,

Employment and Social Security Network, that provide personalized attention, permanent accompaniment, guidance and information on the local labor market.

Yes, according to Art. 43 of Law 26.202, “1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (...) (b) Access to vocational guidance and placement services; (...)”. Art. 54 of the same Law 26.202 further states that “Without prejudice to the conditions of their residence permit or work permit or to the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (a) Protection against dismissal; (b) Unemployment benefits; (c) Access to public works programs to combat unemployment; (...)”. They also have access to the “Oficinas de empleo”, a network of employment offices offered by the Ministry of Labour, Employment and Social Security Network, that provide personalized attention, permanent accompaniment, guidance and information on the local labor market.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 43. / Argentina.gob.ar. “Oficinas de empleo [Employment Offices]”. Accessed September 8, 2018. <http://www.trabajo.gob.ar/mapaoe/index.asp>. / Consultation with expert, Gerencia de empleo de la Plata 22. February 2017.

Can medical doctors access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, according to Art. 43 of Law 26.202, “1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (...) (b) Access to vocational guidance and placement services; (...)”. Art. 54 of the same Law 26.202 further states that “Without prejudice to the conditions of their residence permit or work permit or to the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (a) Protection against dismissal; (b) Unemployment benefits; (c) Access to public works programs to combat unemployment; (...)”. They also have access to the “Oficinas de empleo”, a network of employment offices offered by the Ministry of Labour, Employment and Social Security Network, that provide personalized attention, permanent accompaniment, guidance and information on the local labor market.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 43. / Argentina.gob.ar. “Oficinas de empleo [Employment Offices]”. Accessed September 8, 2018. <http://www.trabajo.gob.ar/mapaoe/index.asp>. / Consultation with expert, Gerencia de empleo de la Plata. February 22, 2017.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Yes, according to Art. 43 of Law 26.202, “1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (...) (b) Access to vocational guidance and placement services; (...)”. Art. 54 of the same Law 26.202 further states that “Without prejudice to the conditions of their residence permit or work permit or to the rights provided for in articles 25 and 27 of the present Convention, migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to: (a) Protection against dismissal; (b) Unemployment benefits; (c) Access to public works programs to combat unemployment; (...)”. They also have access to the “Oficinas de empleo”, a network of employment offices offered by the Ministry of Labour, Employment and Social Security Network, that provide personalized attention, permanent accompaniment, guidance and information on the local labor market.

Since nowhere in the legislation was any restriction in this matter found to apply to permanent residents, it is assumed that they have equal access as nationals. This information was further consulted with the office of Gerencia de Empleo de la Plata.

Sources: Consultation with expert, Gerencia de empleo de la Plata. February 22, 2017.

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%C3%Banicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Recognition of qualifications acquired abroad by refugees:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%C3%Banicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by domestic workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%C3%BAnicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%C3%BAnicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%3%Banicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes. There is no distinction about extra documents needed for immigrants and the duration of the process varies depending on the particular case and the type of agreement that exists with the country of origin.

Sources: Embajada en Colombia. "Convalidación títulos universitarios en Argentina [Validation of University Degrees in Argentina]". Accessed August 15, 2018. <https://ecolo.cancilleria.gob.ar/es/content/convalidaci%C3%B3n-t%C3%ADtulos-universitarios-en-argentina#:~:text=Convalidaci%C3%B3n%20t%C3%ADtulos%20universitarios%20en%20Argentina,-En%20la%20p%C3%A1gina&text=El%20tr%C3%A1mite%20se%20hace%20%3%Banicamente,con%20el%20pa%C3%ADs%20de%20origen.> / Secretaría de Políticas Universitarias. "Convalidaciones de títulos universitarios extranjeros [Validation of Foreign University Degrees]". Access date not available. <https://convalidaciones.siu.edu.ar/>. / Argentina.gob.ar. "Trámites y turnos [Procedures and Appointments]". Accessed January 31, 2018. <https://www.argentina.gob.ar/validez-nacional-de-titulos/tramites-y-turnos>.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies. According to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley Nº 23.551 [Law 23.551]. 1988. / Ley Nº 25.674 [Law 25.674]. 2002. Art. 3.

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies. According to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley N° 23.551 [Law 23.551]. 1988. / Ley N° 25.674 [Law 25.674]. 2002. Art. 3.

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies, according to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley N° 23.551 [Law 23.551]. 1988. / Ley N° 25.674 [Law 25.674]. 2002. Art. 3.

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies, according to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley N° 23.551 [Law 23.551]. 1988. / Ley N° 25.674 [Law 25.674]. 2002. Art. 3.

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies, according to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley N° 23.551 [Law 23.551]. 1988. / Ley N° 25.674 [Law 25.674]. 2002. Art. 3.

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Their access to elected positions in trade unions has some restrictions in terms of the composition of the bodies, according to Art. 3 of Law 25.674: "Seventy-five percent (75%) of the executive and representative positions shall be held by Argentine citizens, the holder of the highest ranking position and his or her statutory replacement shall be Argentine citizens. (...)".

Sources: Ley N° 23.551 [Law 23.551]. 1988. / Ley N° 25.674 [Law 25.674]. 2002. Art. 3.

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: They have the freedom to change jobs since their status does not depend on their employment and in any case is given prior to employment.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Can refugees change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: They have the freedom to change jobs since their status does not depend on their employment and in any case is given prior to employment.

Sources: Ley N° 25.871 [Law 25.871]. 2013.

Can co-ethnics change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers change their employer without risking their immigration status?

Answer: Yes

Code: 1

Explanation: Yes. Art. 6 of Law 25.871 states that the State, in all its jurisdictions will ensure the equal access of migrants and their families in the same conditions of protection and rights than Argentines to social services, public goods, health, education, justice, work, employment and security. Argentina subscribed the Convention for the Protection of Migrant Workers and their Families, which foresees that some restrictions might apply, if the State so determines it, but the laws do not determine restrictions. This is so established in Art. 52 of Law 26.202, which states that “the State may: (a) Restrict access to limited categories of employment, functions, services or activities, where this is necessary for the benefit of the State and provided for by national legislation; (b) To restrict the free choice of a remunerated activity in accordance with its legislation on the conditions for the recognition of professional qualifications acquired outside the territory of the State of employment (...)” and “: (a) Make the right of free choice of remunerated activity subject to the condition that the migrant worker has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a period of time specified in the national legislation of that State not exceeding two years; (b) To limit the access of migrant workers to a remunerated activity in pursuance of a policy of giving priority to their nationals or to persons who are assimilated to their nationals for these purposes by virtue of existing legislation or bilateral or multilateral agreements. Such limitations shall not apply to a migrant worker who has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a specified period of time under the national legislation of that State not exceeding five years. 4. The State of employment shall establish the conditions under which a migrant worker who has been admitted to employment may be authorized to engage in self-employment. Account shall be taken of the period during which the worker has been lawfully resident in the State of employment”.

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 524.

Can agricultural workers change their employer without risking their immigration status?

Answer: Yes

Code: 1

Explanation: Yes. Art. 6 of Law 25.871 states that the State, in all its jurisdictions will ensure the equal access of migrants and their families in the same conditions of protection and rights than Argentines to social services, public goods, health, education, justice, work, employment and security. Argentina subscribed the Convention for the Protection of Migrant Workers and their Families, which foresees that some restrictions might apply, if the State so determines it, but the laws do not determine

restrictions. This is so established in Art. 52 of Law 26.202, which states that “the State may: (a) Restrict access to limited categories of employment, functions, services or activities, where this is necessary for the benefit of the State and provided for by national legislation; (b) To restrict the free choice of a remunerated activity in accordance with its legislation on the conditions for the recognition of professional qualifications acquired outside the territory of the State of employment (...)” and “: (a) Make the right of free choice of remunerated activity subject to the condition that the migrant worker has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a period of time specified in the national legislation of that State not exceeding two years; (b) To limit the access of migrant workers to a remunerated activity in pursuance of a policy of giving priority to their nationals or to persons who are assimilated to their nationals for these purposes by virtue of existing legislation or bilateral or multilateral agreements. Such limitations shall not apply to a migrant worker who has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a specified period of time under the national legislation of that State not exceeding five years. 4. The State of employment shall establish the conditions under which a migrant worker who has been admitted to employment may be authorized to engage in self-employment. Account shall be taken of the period during which the worker has been lawfully resident in the State of employment”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

Can medical doctors change their employer without risking their immigration status?

Answer: Yes

Code: 1

Explanation: Yes. Art. 6 of Law 25.871 states that the State, in all its jurisdictions will ensure the equal access of migrants and their families in the same conditions of protection and rights than Argentines to social services, public goods, health, education, justice, work, employment and security. Argentina subscribed the Convention for the Protection of Migrant Workers and their Families, which foresees that some restrictions might apply, if the State so determines it, but the laws do not determine restrictions. This is so established in Art. 52 of Law 26.202, which states that “the State may: (a) Restrict access to limited categories of employment, functions, services or activities, where this is necessary for the benefit of the State and provided for by national legislation; (b) To restrict the free choice of a remunerated activity in accordance with its legislation on the conditions for the recognition of professional qualifications acquired outside the territory of the State of employment (...)” and “: (a) Make the right of free choice of remunerated activity subject to the condition that the migrant worker has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a period of time specified in the national legislation of that State not exceeding two years; (b) To limit the access of migrant workers to a remunerated activity in pursuance of a policy of giving priority to their nationals or to persons who are assimilated to their nationals for these purposes by virtue of existing legislation or bilateral or multilateral agreements. Such limitations shall not apply to a migrant worker who has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a specified period of time under the national legislation of that State not exceeding five years. 4. The State of employment shall establish the conditions under which a migrant worker who has been admitted to employment may be authorized to engage in self-employment. Account shall be taken of the period during which the worker has been lawfully resident in the State of employment”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: Yes. Art. 6 of Law 25.871 states that the State, in all its jurisdictions will ensure the equal access of migrants and their families in the same conditions of protection and rights than Argentines to social services, public goods, health, education, justice, work, employment and security. Argentina subscribed the Convention for the Protection of Migrant Workers and their Families, which foresees that some restrictions might apply, if the State so determines it, but the laws do not determine restrictions. This is so established in Art. 52 of Law 26.202, which states that “the State may: (a) Restrict access to limited categories of employment, functions, services or activities, where this is necessary for the benefit of the State and provided for by national legislation; (b) To restrict the free choice of a remunerated activity in accordance with its legislation on the conditions for the recognition of professional qualifications acquired outside the territory of the State of employment (...)” and “: (a) Make the right of free choice of remunerated activity subject to the condition that the migrant worker has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a period of time specified in the national legislation of that State not exceeding two years; (b) To limit the access of migrant workers to a remunerated activity in pursuance of a policy of giving priority to their nationals or to persons who are assimilated to their nationals for these purposes by virtue of existing legislation or bilateral or multilateral agreements. Such limitations shall not apply to a migrant worker who has been lawfully resident in the territory of the State of employment for the purpose of exercising a remunerated activity for a specified period of time under the national legislation of that State not exceeding five years. 4. The State of employment shall establish the conditions under which a migrant worker who has been admitted to employment may be authorized to engage in self-employment. Account shall be taken of the period during which the worker has been lawfully resident in the State of employment”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, asylum seekers have the right to redress. This is protected by Art. 6 of Law 25.871.

Sources: Consultation with expert, Gerencia de empleo de la Plata 22. February 2017. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, refugees have the right to redress. This is protected by Art. 6 of Law 25.871

Sources: Consultation with expert, Gerencia de empleo de la Plata 22. February 2017. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 54 Law 26.202 (...) 2. If a migrant worker claims that his or her employer has violated the terms of his or her contract of employment, he or she shall have the right to appeal to the competent authorities of the State of employment, in accordance with article 18, paragraph 1, of the present Convention. This is also protected by Art. 6 of Law 25.871.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 54. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 54 Law 26.202 (...) 2. If a migrant worker claims that his or her employer has violated the terms of his or her contract of employment, he or she shall have the right to appeal to the competent authorities of the State of employment, in accordance with article 18, paragraph 1, of the present Convention. This is also protected by Art. 6 of Law 25.871.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 54. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 54 Law 26.202 (...) 2. If a migrant worker claims that his or her employer has violated the terms of his or her contract of employment, he or she shall have the right to appeal to the competent authorities of the State of employment, in accordance with article 18, paragraph 1, of the present Convention. This is also protected by Art. 6 of Law 25.871.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 54. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, permanent residents have the right to redress. This is also protected by Art. 6 of Law 25.871.

Sources: Consultation with expert, Gerencia de empleo de la Plata 22. February 2017. / Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

Can refugees acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

Can co-ethnics acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

Can agricultural workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

Can medical doctors acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

Can permanent residents acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. According to Art. 20 of the Constitution “Foreigners enjoy in the territory of the Nation all the civil rights of citizens; they may exercise their industry, commerce and profession; own, buy and sell real estate...”.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 20.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: No access to family reunification

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Can refugees bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 5 of the Law 26.165 specifies that “The unity of the family, a natural and fundamental element of society, is an essential right of refugees and their family members”. Also, Art. 6 of Law 26.165 states that “In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked.”

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 5.

Can co-ethnics bring their families to their country of residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Art. 10 of Law 25.871 states: "The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities". Also, Art. 44 of Law 26.202 states: "1. States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the family of the migrant worker. 2. States Parties shall take such measures as they consider appropriate and within their competence to facilitate the reunification of migrant workers with their spouses or with those persons who have a relationship with the migrant worker which, under applicable law, produces effects equivalent to marriage, as well as with their minor unmarried children in their care. 3. States of employment shall, for humanitarian reasons, consider favorably granting a time equal to that provided for in paragraph 2 of this article to other members of the families of migrant workers". However, the Ministry of Foreign Affairs and Worship specifies that the visa for family reunification is just accessible for permanent residents.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10. / Ley N° 26.202 [Law 26.202]. 2007. Art. 44. / Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019. <https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>.

Can agricultural workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Art. 10 of Law 25.871 states: "The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities". Also, Art. 44 of Law 26.202 states: "1. States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the family of the migrant worker. 2. States Parties shall take such measures as they consider appropriate and within their competence to facilitate the reunification of migrant workers with their spouses or with those persons who have a relationship with the migrant worker which, under applicable law, produces effects equivalent to marriage, as well as with their minor unmarried children in their care. 3. States of employment shall, for humanitarian reasons, consider favorably granting a time equal to that provided for in paragraph 2 of this article to other members of the families of migrant workers". However, the Ministry of Foreign Affairs and Worship specifies that the visa for family reunification is just accessible for permanent residents.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10. / Ley N° 26.202 [Law 26.202]. 2007. Art. 44. / Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019. <https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>.

Can medical doctors bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Art. 10 of Law 25.871 states: "The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities". Also, Art. 44 of Law 26.202 states: "1. States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, shall take appropriate measures to ensure the protection of the unity of the family of the migrant worker. 2. States Parties shall take such measures as they consider appropriate and within their

competence to facilitate the reunification of migrant workers with their spouses or with those persons who have a relationship with the migrant worker which, under applicable law, produces effects equivalent to marriage, as well as with their minor unmarried children in their care. 3. States of employment shall, for humanitarian reasons, consider favorably granting a time equal to that provided for in paragraph 2 of this article to other members of the families of migrant workers". However, the Ministry of Foreign Affairs and Worship specifies that the visa for family reunification is just accessible for permanent residents.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10. / Ley N° 26.202 [Law 26.202]. 2007. Art. 44. / Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019. <https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>.

Can permanent residents bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 10 of Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees). In months:

Answer: 0

Code: 0

Explanation: Art. 5 of Law 26.165 states that “The unity of the family, a natural and fundamental element of society, is an essential right of refugees and their family members”. Art. 6 further specifies: “ In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 5 and 6.

Residence requirement for ordinary legal residents (refugees):

Answer: no residence requirement

Code: 1

Explanation: Art. 5 of Law 26.165 states that “The unity of the family, a natural and fundamental element of society, is an essential right of refugees and their family members”. Art. 6 further specifies: “ In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 5 and 6.

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: Art. 10 of Law 25.871 states that "The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Residence requirement for ordinary legal residents (permanent residents):

Answer: no residence requirement

Code: 1

Explanation: Art. 10 of Law 25.871 states that "The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Children.

Answer: Not applicable

Code: Not applicable

Explanation:

Sources:

Family member eligible for reunification (asylum seekers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Spouse.

Answer: yes

Code: 1

Explanation: Art. 6 of Law 26.165 states: "In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the

spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked. In no case shall asylum be granted, by extension, to any person who has incurred in any of the grounds provided for in this Act”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Art. 6 of Law 26.165 states: “In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked. In no case shall asylum be granted, by extension, to any person who has incurred in any of the grounds provided for in this Act”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Family member eligible for reunification (refugees): Children.

Answer: yes

Code: 1

Explanation: Art. 6 of Law 26.165 states: “In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked. In no case shall asylum be granted, by extension, to any person who has incurred in any of the grounds provided for in this Act”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Family member eligible for reunification (refugees): Parents.

Answer: yes

Code: 1

Explanation: Art. 6 of Law 26.165 states: "In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked. In no case shall asylum be granted, by extension, to any person who has incurred in any of the grounds provided for in this Act".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Family member eligible for reunification (refugees): Grandparents.

Answer: yes

Code: 1

Explanation: Art. 6 of Law 26.165 states: "In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin. A decision rejecting an application based on the application of the principle of family unity may not be based on the lack of legal recognition of the relationships invoked. In no case shall asylum be granted, by extension, to any person who has incurred in any of the grounds provided for in this Act".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Family member eligible for reunification (co-ethnics): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Spouse.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Children.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Parents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Grandparents.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (permanent residents): Spouse.

Answer: yes

Code: 1

Explanation: Art. 10 Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: no

Code: 0

Explanation: Art. 10 Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Family member eligible for reunification (permanent residents): Children.

Answer: yes

Code: 1

Explanation: Art. 10 Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Family member eligible for reunification (permanent residents): Parents.

Answer: yes

Code: 1

Explanation: Art. 10 Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: no

Code: 0

Explanation: Art. 10 Law 25.871 The State shall guarantee the right of family reunification of immigrants with their parents, spouses, minor unmarried children or elderly children with different capacities.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 10.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (refugees).

Answer: Not applicable

Code: Not applicable

Explanation: No regulation on maximum length

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Length of application procedure (refugees).

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation on maximum length

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (medical doctors).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (medical doctors).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (permanent residents).

Answer: Not applicable

Code: Not applicable

Explanation: No regulation on maximum length

Sources: Not applicable

Length of application procedure (permanent residents).

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation on maximum length

Sources: Ley N° 26.165 [Law 26.165]. 2006.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (refugees):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: There is no provision in the regulation- it is decided case-by-case. Art. 6 of the Law 26.165 states: "In order to determine the extension of the right mentioned in the preceding article, the effects of the recognition of refugee status shall apply by extension to the spouse of the refugee or to the person with whom the refugee is linked by reason of his or her affectivity and cohabitation, ascendants, descendants and first-degree collateral who depend on him or her economically. The competent authorities shall decide the applications in each case and in a well-founded manner, taking into account the law in force, the needs invoked by the applicants and the cultural values of their countries of origin (...)".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 6.

Duration of validity of permit (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Art. 22 of Decree 616/2010 states that: "The foreigner who applies for permanent residence must prove: (...) b) Be the spouse, parent, unmarried child under eighteen (18) years of age not emancipated or older with different capacity, of a permanent resident, taking into account principles of unity, support and the scope of the right to family reunification established in the relevant legislation and in article 10 of these Regulations (...)".

Sources: Decreto 616/10 [Decree 616/10]. 2010. Art. 22.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to public policy or national security is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: Proof of no criminal records is required.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radificaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: If the relationship is non-existent relationship or misleading information is provided it can be denied.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019. <https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar. "Radificaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: The ground would be break-up of family relationship before three years.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019. <https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar. "Radificaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018. http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: no

Code: 0

Explanation: There is no provision on this in the regulation.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: yes

Code: 1

Explanation: Art. 34 of the Law 26.165 establishes that the recognition process will be guided by the Law of Administrative Procedures, Law N. 19.549. This law includes provisions regarding the obligatoriness to provide a reasoned decision. It also regulates the right to appeal and to be represented before an independent administrative authority.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 34. / Ley 19.549 [Law 19.549]. 1972.

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: yes

Code: 1

Explanation: Art. 34 of the Law 26.165 establishes that the recognition process will be guided by the Law of Administrative Procedures, Law N. 19.549. This law includes provisions regarding the

obligatoriness to provide a reasoned decision. It also regulates the right to appeal and to be represented before an independent administrative authority.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 34. / Ley N° 19.549 [Law 19.549]. 1972.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: yes

Code: 1

Explanation: Art. 34 of the Law 26.165 establishes that the recognition process will be guided by the Law of Administrative Procedures Law N. 19.549. This law includes provisions regarding the obligatoriness to provide a reasoned decision. It also regulates the right to appeal and to be represented before an independent administrative authority.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 34. / Ley N° 19.549 [Law 19.549]. 1972.

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: yes

Code: 1

Explanation: Arts. 74-90 of Law 25.871 (Decree 616/2010) regulate the right to appeal of foreigners living in Argentina. Migrants have the right to appeal or complain to an independent administrative

authority and/or a court when admission to the country has been denied (Art. 74a), permanent residence status is revoked (Art. 74b) or deportation has been instructed (Art. 74c). Additionally, following Law 19.549 of the Administrative Process, decisions must also be reasoned.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 74 - 90. / Ley N° 19.549 [Law 19.549]. 1972.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: yes

Code: 1

Explanation: Arts. 74 - 90 of Law 25.871 (Decree 616/2010) regulate the right to appeal of foreigners living in Argentina. Migrants have the right to appeal or complain to an independent administrative authority and/or a court when admission to the country has been denied (Art. 74a), permanent residence status is revoked (Art. 74b) or deportation has been instructed (Art. 74c). Additionally, following Law 19.549 of the Administrative Process, decisions must also be reasoned.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 74 - 90. / Ley N° 19.549 [Law 19.549]. 1972.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: yes

Code: 1

Explanation: Arts. 74 - 90 of Law 25.871 (Decree 616/2010) regulate the right to appeal of foreigners living in Argentina. Migrants have the right to appeal or complain to an independent administrative authority and/or a court when admission to the country has been denied (Art. 74a), permanent residence status is revoked (Art. 74b) or deportation has been instructed (Art. 74c). Additionally, following Law 19.549 of the Administrative Process, decisions must also be reasoned.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 74 - 90. / Ley N° 19.549 [Law 19.549]. 1972.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: no right

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: no right

Code: 0

Explanation: There is no provision in the regulation on this.

Sources: Ministerio de Relaciones Exteriores, Comercio Internacional y Culto. "Visa por reunificación familiar [Family Reunification Visa]". Accessed June 13, 2019.

<https://cancilleria.gob.ar/es/servicios/visas/visa-por-reunificacion-familiar>. / Argentina.gob.ar.

"Radicaciones no Mercosur permanente documentos [Non-Mercosur Permanent Settlements Documents]". Accessed August 12, 2018.

http://www.migraciones.gov.ar/accesible/indexA.php?nomercosur_permanente.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Basic access as regulated by Art. 51 of Law 26.165: "The receiving authority shall grant the applicant and the accompanying family group a provisional document allowing them to legally remain in the national territory and perform remunerated tasks and have access to basic social, health and educational services and benefits. This document shall be renewable until a final decision is taken on the application for refugee status".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

Children of refugees have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 52 of Law 26.165 states that: "The refugees recognized by the Commission shall have the right to obtain an identity document that allows them to fully exercise their civil, economic, social and cultural rights, like any other foreigner resident in our country".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 52.

Children of co-ethnics have access to compulsory education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of domestic workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states that: "The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security". Furthermore, Art. 45 of Law 26.202 states that: "Members of the families of migrant workers shall enjoy, in the State of employment, equality and treatment with nationals of that State in relation to: (a)Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45.

Children of agricultural workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states that: "The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security". Furthermore, Art. 45 of Law 26.202 states that: " Members of the families of migrant workers shall enjoy, in the State of employment, equality and treatment with nationals of that State in relation to: (a)Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45.

Children of medical doctors have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states that: "The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security". Furthermore, Art. 45 of Law 26.202 states that: " Members of the families of migrant workers shall enjoy, in the State of employment, equality and treatment with nationals of that State in relation to: (a)Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45.

Children of permanent residents have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states: "The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the refugee regulation about this, because only basic access is mentioned in the Law. However, based on Law Art. 6 of Law 25.871, all immigrants have the right to access education.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

Refugees have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 52 of Law 26.202 states that: "The refugees recognized by the Commission shall have the right to obtain an identity document that allows them to fully exercise their civil, economic, social and cultural rights, like any other foreigner resident in our country".

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

Co-ethnics have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Domestic workers have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states: “The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security”. Furthermore, Art. 45 of Law 26.202 states that “Members of the families of migrant workers shall, in the State of employment, enjoy equality and treatment with nationals of that State in relation to: (a) Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)”. Finally, Art.4 of Law 26.206 states that: “The national State, the provinces and the Autonomous City of Buenos Aires have the main and non-delegable responsibility to provide comprehensive, permanent and quality education for all the inhabitants of the Nation, guaranteeing equality, gratuitousness and equity in the exercise of this right, with the participation of social organizations and families”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45. / Ley 26.206 [Law 26.206]. 2006. Art. 4.

Agricultural workers have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states: “The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security”. Furthermore, Art. 45 of Law 26.202 states that “Members of the families of migrant workers shall, in the State of employment, enjoy equality and treatment with nationals of that State in relation to: (a) Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)”. Finally, Art.4 of Law 26.206 states that: “The national State, the provinces and the Autonomous City of Buenos Aires have the main and non-delegable responsibility to provide comprehensive, permanent and quality education for all the inhabitants of the Nation, guaranteeing equality, gratuitousness and equity in the exercise of this right, with the participation of social organizations and families”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45. / Ley 26.206 [Law 26.206]. 2006. Art. 4.

Medical doctors have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states: “The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security”. Furthermore, Art. 45 of Law 26.202 states that “Members of the families of migrant workers shall, in the State of employment, enjoy equality and treatment with nationals of that State in relation to: (a) Access to educational institutions and services, subject to the admission requirements and other rules of the institutions and services concerned; (...)”. Finally, Art.4 of Law 26.206 states that: “The national State, the provinces and the

Autonomous City of Buenos Aires have the main and non-delegable responsibility to provide comprehensive, permanent and quality education for all the inhabitants of the Nation, guaranteeing equality, gratuitousness and equity in the exercise of this right, with the participation of social organizations and families”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6. / Ley N° 26.202 [Law 26.202]. 2007. Art. 45. / Ley 26.206 [Law 26.206]. 2006. Art. 4.

Permanent residents have access to higher education:

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art. 6 of Law 25.871 states that: “The State in all its jurisdictions shall ensure equal access to immigrants and their families under the same conditions of protection, protection and rights as those enjoyed by nationals, particularly with regard to social services, public goods, health, education, justice, work, employment and social security”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 6.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: no

Code: 0

Explanation: There is no clear provision on this. Art. 14 of Law 25.871 only states that: “The State in all its jurisdictions, whether national, provincial or municipal, shall favor initiatives aimed at the integration of foreigners in their community of residence, especially those aimed at: a) Spanish language courses in legally recognized foreign schools and cultural institutions; (...)”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 14.

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulation about such specific characteristic of intercultural education.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Ley N° 26.202 [Law 26.202]. 2007. / Ley 26.206 [Law 26.206]. 2006.

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulation about professional development training including migration and integration as topics.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Ley N° 26.202 [Law 26.202]. 2007. / Ley 26.206 [Law 26.206]. 2006.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 51 of Law 26.165 states that: "The receiving authority shall grant the applicant and the accompanying family group a provisional document allowing them to legally remain in the national territory and perform remunerated tasks and have access to basic social, health and educational services and benefits. This document shall be renewable until a final decision is taken on the application for refugee status".

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

Conditions for inclusion of refugees in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of Law 26.202 states that: "The refugees recognized by the Commission shall have the right to obtain an identity document that allows them to fully exercise their civil, economic, social and cultural rights, like any other foreigner resident in our country".

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

Conditions for inclusion of co-ethnics in the health care system:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of domestic workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is unconditional, as regulated by Art. 8 of Law 25.871: "In no case may access to the right to health, social assistance or health care be denied or restricted to all foreigners who require it, whatever their immigration status. The authorities of the health establishments should provide guidance and advice on the steps to be taken to remedy the migration irregularity".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 8.

Conditions for inclusion of agricultural workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is unconditional as regulated by Art. 8 of Law 25.871: "In no case may access to the right to health, social assistance or health care be denied or restricted to all foreigners who require it, whatever their immigration status. The authorities of the health establishments should provide guidance and advice on the steps to be taken to remedy the migration irregularity".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 8.

Conditions for inclusion of medical doctors in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is unconditional as regulated by Art. 8 of Law 25.871: "In no case may access to the right to health, social assistance or health care be denied or restricted to all foreigners who require it, whatever their immigration status. The authorities of the health establishments should provide guidance and advice on the steps to be taken to remedy the migration irregularity".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 8.

Conditions for inclusion of permanent residents in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Inclusion is unconditional as regulated by Art. 8 of Law 25.871: "In no case may access to the right to health, social assistance or health care be denied or restricted to all foreigners who require it, whatever their immigration status. The authorities of the health establishments should provide guidance and advice on the steps to be taken to remedy the migration irregularity".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 8.

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: emergency care only

Code: 0.5

Explanation: Only “Basic access” is specified in Art. 51 of Law 26.165: “The receiving authority shall grant the applicant and the accompanying family group a provisional document allowing them to legally remain in the national territory and perform remunerated tasks and have access to basic social, health and educational services and benefits. This document shall be renewable until a final decision is taken on the application for refugee status”.

Sources: Ley N° 26.165 [Law 26.165]. 2006. Art. 51.

Health care coverage for refugees.

Answer: Yes, same as nationals

Code: 1

Explanation: Art. 52 of Law 26.202 states that: “The refugees recognized by the Commission shall have the right to obtain an identity document that allows them to fully exercise their civil, economic, social and cultural rights, like any other foreigner resident in our country”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 52.

Health care coverage for co-ethnics.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for domestic workers.

Answer: same coverage as nationals

Code: 1

Explanation: Article 28 of Law 26.202 states that: “1. Migrant workers and members of their families shall enjoy in the State of employment, with respect to social security, the same treatment as nationals to the extent that they comply with the requirements provided for in the applicable legislation of that State or in applicable bilateral and multilateral treaties. The competent authorities of the State of origin and of the State of employment may at any time take the necessary steps to determine the modalities of application of this rule. 2. Where the applicable legislation does not permit migrant workers or members of their families to enjoy any benefit, the State concerned shall, on the basis of the treatment

accorded to nationals who are in a similar situation, consider reimbursing them for the amount of contributions they have paid in respect of those benefits. Article 28 Law 26.202 Migrant workers and members of their families shall have the right to receive any form of urgent medical care necessary to preserve their lives or to avoid irreparable damage to their health under conditions of equality of treatment with nationals of the State concerned. Such emergency medical care may not be refused on grounds of irregularity of tenure or employment”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 28. / Consultation with two immigrants living in Buenos Aires. / Consultation with an expert, ANSES Argentina. February 22, 2019.

Health care coverage for agricultural workers.

Answer: same coverage as nationals

Code: 1

Explanation: Article 28 of Law 26.202 states that: “1. Migrant workers and members of their families shall enjoy in the State of employment, with respect to social security, the same treatment as nationals to the extent that they comply with the requirements provided for in the applicable legislation of that State or in applicable bilateral and multilateral treaties. The competent authorities of the State of origin and of the State of employment may at any time take the necessary steps to determine the modalities of application of this rule. 2. Where the applicable legislation does not permit migrant workers or members of their families to enjoy any benefit, the State concerned shall, on the basis of the treatment accorded to nationals who are in a similar situation, consider reimbursing them for the amount of contributions they have paid in respect of those benefits. Article 28 Law 26.202 Migrant workers and members of their families shall have the right to receive any form of urgent medical care necessary to preserve their lives or to avoid irreparable damage to their health under conditions of equality of treatment with nationals of the State concerned. Such emergency medical care may not be refused on grounds of irregularity of tenure or employment”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 28. / Consultation with two immigrants living in Buenos Aires. / Consultation with an expert, ANSES Argentina. February 22, 2019.

Health care coverage for medical doctors.

Answer: same coverage as nationals

Code: 1

Explanation: Article 28 of Law 26.202 states that: “1. Migrant workers and members of their families shall enjoy in the State of employment, with respect to social security, the same treatment as nationals to the extent that they comply with the requirements provided for in the applicable legislation of that State or in applicable bilateral and multilateral treaties. The competent authorities of the State of origin and of the State of employment may at any time take the necessary steps to determine the modalities of application of this rule. 2. Where the applicable legislation does not permit migrant workers or members of their families to enjoy any benefit, the State concerned shall, on the basis of the treatment accorded to nationals who are in a similar situation, consider reimbursing them for the amount of contributions they have paid in respect of those benefits. Article 28 Law 26.202 Migrant workers and members of their families shall have the right to receive any form of urgent medical care necessary to preserve their lives or to avoid irreparable damage to their health under conditions of equality of treatment with nationals of the State concerned. Such emergency medical care may not be refused on grounds of irregularity of tenure or employment”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 28. / Consultation with two immigrants living in Buenos Aires. / Consultation with an expert, ANSES Argentina. February 22, 2019.

Health care coverage for permanent residents.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals

Sources: Consultation with an expert, ANSES Argentina. February 22, 2019.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Other limiting conditions apply, because even though they can meet the requisites it is not sure how long an asylum seeker would be in the country to have paid the six months of requirement. Art.113 of Law 24.013 states: "To be entitled to unemployment benefits, workers must meet the following requirements: (a) Be legally unemployed and available for suitable employment; b) To be registered in the Single System of Labor Registration or in the National Institute of Social Security until it begins to function; c) Have contributed to the National Employment Fund for a minimum period of SIX (6) months during the THREE (3) years prior to the termination of the employment contract that gave rise to the legal situation of unemployment; [...] e) Not receiving pension benefits or non-contributory benefits; f) To have requested the granting of the benefit in the terms and forms that correspond".

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 113.

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Yes, they have equal access as nationals to a program offered by the Ministry of Labour, Employment and Social Security called "Seguro de capacitación y empleo" - training and employment insurance.

Sources: Decreto 336/2006 [Decree 336/2006]. 2006. / Resolución 723/2012 [Resolution 732/2012]. 2012. / Argentina.gob.ar. "Seguro de capacitación y empleo [Training and Employment Insurance]". Accessed August 8, 2018. http://trabajo.gob.ar/downloads/coc/faq_seguro_cap_y_empleo.pdf.

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: Art. 112 of Law 24.013 specifies that: "The provisions of this title shall apply to all workers whose employment contract is governed by the Employment Contract Act (t.o. 1976). It shall not apply to workers covered by the National Agricultural Labour System¹², to domestic workers and to those who have ceased to provide services in the National, Provincial or Municipal Public Administration affected by administrative rationalization measures".

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 112.

Access of agricultural workers to unemployment benefits as compared with citizen residents:

Answer: no access

Code: 0

Explanation: Art. 112 of Law 24.013 specifies that: "The provisions of this title shall apply to all workers whose employment contract is governed by the Employment Contract Act (t.o. 1976). It shall not apply to workers covered by the National Agricultural Labour System¹², to domestic workers and to those who have ceased to provide services in the National, Provincial or Municipal Public Administration affected by administrative rationalization measures".

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 112.

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Yes, according to Art.113 of Law 24.013, "To be entitled to unemployment benefits, workers must meet the following requirements: (a) Be legally unemployed and available for suitable employment; b) To be registered in the Single System of Labor Registration or in the National Institute of Social Security until it begins to function; c) Have contributed to the National Employment Fund for a minimum period of SIX (6) months during the THREE (3) years prior to the termination of the employment contract that gave rise to the legal situation of unemployment; (Subsection replaced by Article 2 of Decree No. 267/2006 B.O. 13/3/2006) d) Workers hired through the temporary service companies authorized by the competent authority shall have a minimum contribution period of 90 days during the 12 months prior to the termination of the relationship that gave rise to the legal status of unemployment; e) Not receiving pension benefits or non-contributory benefits; f) To have requested the granting of the benefit in the terms and forms that correspond".

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 113.

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Yes, according to the Art.113 of Law 24.013, "To be entitled to unemployment benefits, workers must meet the following requirements: (a) Be legally unemployed and available for suitable employment; b) To be registered in the Single System of Labor Registration or in the National Institute of Social Security until it begins to function; c) Have contributed to the National Employment Fund for a minimum period of SIX (6) months during the THREE (3) years prior to the termination of the employment contract that gave rise to the legal situation of unemployment; (Subsection replaced by Article 2 of Decree No. 267/2006 B.O. 13/3/2006) d) Workers hired through the temporary service companies authorized by the competent authority shall have a minimum contribution period of 90 days during the 12 months prior to the termination of the relationship that gave rise to the legal status of unemployment; e) Not receiving pension benefits or non-contributory benefits; f) To have requested the granting of the benefit in the terms and forms that correspond".

Sources: Ley N° 24.013 [Law 24.013]. 1991. Art. 113.

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of refugees to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: The residence criterion can be highly limiting for refugees, as Art. 1 of Decree 432/97 specifies the benefits instituted by Article 9 of Law 13.478, modified by Laws Nos. 15.705, 16.472, 18.910,20.267 and 24.241 as those for persons who meet the following requirements: "a) To have SEVENTY (70) or more years of age, in the case of old age pension. (...) e) Foreigners must prove a minimum continuous residence in the country of TWENTY (20) years. The condition of such residence will be demonstrated by the presentation of the National Identity Card for Foreigners. The date of establishment on the identity card gives a presumption of continued residence on the card from that date. (...)".

Sources: Decreto 432/97 [Decree 432/97]. 1997. Art. 1.

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: The residence criterion can be highly limiting for domestic workers, as Art. 1 of Decree 432/97 specifies the benefits instituted by Article 9 of Law 13.478, modified by Laws Nos. 15.705, 16.472, 18.910, 20.267 and 24.241 as those for persons who meet the following requirements: "a) To have SEVENTY (70) or more years of age, in the case of old age pension. (...) e) Foreigners must prove a minimum continuous residence in the country of TWENTY (20) years. The condition of such residence will be demonstrated by the presentation of the National Identity Card for Foreigners. The date of establishment on the identity card gives a presumption of continued residence on the card from that date. (...)"

Sources: Decreto 432/97 [Decree 432/97]. 1997. Art. 1.

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: The residence criterion can be highly limiting for agricultural workers, as Art. 1 of Decree 432/97 specifies the benefits instituted by Article 9 of Law 13.478, modified by Laws Nos. 15.705, 16.472, 18.910, 20.267 and 24.241 as those for persons who meet the following requirements: "a) To have SEVENTY (70) or more years of age, in the case of old age pension. (...) e) Foreigners must prove a minimum continuous residence in the country of TWENTY (20) years. The condition of such residence will be demonstrated by the presentation of the National Identity Card for Foreigners. The date of establishment on the identity card gives a presumption of continued residence on the card from that date. (...)"

Sources: Decreto 432/97 [Decree 432/97]. 1997. Art. 1.

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: The residence criterion can be highly limiting for medical doctors as for any other immigrant, as Art. 1 of Decree 432/97 specifies the benefits instituted by Article 9 of Law 13.478, modified by Laws Nos. 15.705, 16.472, 18.910,20.267 and 24.241 as those for persons who meet the following requirements: “a) To have SEVENTY (70) or more years of age, in the case of old age pension. (...) e) Foreigners must prove a minimum continuous residence in the country of TWENTY (20) years. The condition of such residence will be demonstrated by the presentation of the National Identity Card for Foreigners. The date of establishment on the identity card gives a presumption of continued residence on the card from that date. (...)”.

Sources: Decreto 432/97 [Decree 432/97]. 1997. Art. 1.

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: The residence criterion can be highly limiting for permanent residents, as Art. 1 of Decree 432/97 specifies the benefits instituted by Article 9 of Law 13.478, modified by Laws Nos. 15.705, 16.472, 18.910,20.267 and 24.241 as those for persons who meet the following requirements: “a) To have SEVENTY (70) or more years of age, in the case of old age pension. (...) e) Foreigners must prove a minimum continuous residence in the country of TWENTY (20) years. The condition of such residence will be demonstrated by the presentation of the National Identity Card for Foreigners. The date of establishment on the identity card gives a presumption of continued residence on the card from that date. (...)”.

Sources: Decreto 432/97 [Decree 432/97]. 1997. Art. 1.

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulation about funding for bilingual education of migrants.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Ley N° 26.202 [Law 26.202]. 2007. / Ley N° 26.206 [Law 26.206]. 2006.

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: no

Code: 0

Explanation: There is no provision in the immigration regulation about funding for media on main migrant group languages.

Sources: Ley N° 25.871 [Law 25.871]. 2013. / Ley N° 26.202 [Law 26.202]. 2007. / Ley N° 26.206 [Law 26.206]. 2006.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 "The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 states that "However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...).".

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 "The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 states that "However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...).".

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 “The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...).”.

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 “The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...).”.

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 “The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...)”.

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: Identification documents may be inspected in some circumstances, and there is no explicit provision in the immigration regulation about a right against having documents confiscated. According to Art. 13 of Law 17.671 “The presentation of the national identity card issued by the National Register of Persons shall be compulsory in all circumstances where it is necessary to prove the identity of the persons covered by this Act and may not be supplemented by any other identity card of whatever nature or origin. Art. 1 Law 23.950 However, if there are duly substantiated circumstances that lead to the presumption that someone has committed or may commit a criminal or contraventional act and does not provide reliable proof of his or her identity, he or she may be taken to the appropriate police agency (...)”.

Sources: Ley N° 17.671 [Law 17.671]. 1968. Art. 13. / Ley N° 23.950 [Law 23.950]. 1991. Art. 1.

5.6.2. Freedom of movement

IMMIGRANT_57: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: There is no provision in the asylum and refugee regulation about any restriction to their freedom of movement.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Do refugees have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: There is no provision in the asylum and refugee regulation about any restriction to their freedom of movement.

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Do co-ethnics have the right to move freely within the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: According to Art. 39 of Law 26.202 “1. Migrant workers and members of their families shall have the right to freedom of movement within the territory of the State of employment and to choose freely their residence there. 2. The rights referred to in paragraph 1 of the present article shall not be subject to any restrictions other than those which are established by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 39.

Do agricultural workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: According to Art. 39 of Law 26.202 “1. Migrant workers and members of their families shall have the right to freedom of movement within the territory of the State of employment and to choose freely their residence there. 2. The rights referred to in paragraph 1 of the present article shall not be subject to any restrictions other than those which are established by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 39.

Do medical doctors have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: According to Art. 39 of Law 26.202 “1. Migrant workers and members of their families shall have the right to freedom of movement within the territory of the State of employment and to choose freely their residence there. 2. The rights referred to in paragraph 1 of the present article shall not be subject to any restrictions other than those which are established by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 39.

Do permanent residents have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: According to Art. 39 of Law 26.202 “1. Migrant workers and members of their families shall have the right to freedom of movement within the territory of the State of employment and to choose freely their residence there. 2. The rights referred to in paragraph 1 of the present article shall not be subject to any restrictions other than those which are established by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention”.

Sources: Ley N° 26.202 [Law 26.202]. 2007. Art. 39.

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: People only get a valid travel document to enter and leave Argentina only after their asylum recognition process has concludes and they are recognized as refugees; before that, they may not leave the country and for any change of domicile they must inform authorities.

Sources: Migraciones.gov.ar. “Guía de Información Para Refugiados y Solicitantes En Argentina [Information Guide For Refugees and Asylum Seekers In Argentina]”. Accessed April 21, 2020. http://www.migraciones.gov.ar/pdf/conare/guia_espanol.pdf.

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: yes

Code: 1

Explanation: People get a valid travel document to enter and leave Argentina once they are recognized as refugees.

Sources: Migraciones.gov.ar. "Guía de información para refugiados y solicitantes en Argentina [Information Guide For Refugees and Asylum Seekers In Argentina]". Accessed April 21, 2020. http://www.migraciones.gov.ar/pdf/conare/guia_espanol.pdf.

Number of months of absence allowed per year (refugees):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Ley N° 26.165 [Law 26.165]. 2006.

Do co-ethnics have the right to leave the country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: Yes, periods of absence are allowed, but there is a maximum period after which the residence permit can be cancelled. Art. 62 of Law 25.871 states: “The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrations could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Number of months of absence allowed per year (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to leave the country?

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: Yes, periods of absence are allowed, but there is a maximum period after which the residence permit can be cancelled. Art. 62 of Law 25.871 states: “The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrations could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Number of months of absence allowed per year (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to leave the country?

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: Yes, periods of absence are allowed, but there is a maximum period after which the residence permit can be cancelled. Art. 62 of Law 25.871 states: "The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrations could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Number of months of absence allowed per year (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do permanent residents have the right to leave the country?

Answer: yes

Code: 1

Explanation: Yes, two years. Art. 62 of law 25.871 states: "The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrations could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)".

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

Number of months of absence allowed per year (permanent residents):

Answer: 24

Code: 24

Explanation: Art. 62 of law 25.871:“ The National Direction of Migrations, without prejudice of the legal actions that correspond to deduct, will cancel the residence that it had granted, with suspensive effect, whatever their antiquity , category or cause of admission and arrange for subsequent expulsion, when: (...) (c) The beneficiary of a permanent establishment would have remained outside the National Territory for a period in excess of two (2) years or half of the agreed term, in the case of temporary residence, unless the absence is due to the exercise of an Argentine public function or it was generated in of activities, studies or investigations which, in the opinion of the Commission National Direction of Migrationss could be of interest or beneficial to the Republic of Argentina or with the express authorization of the migratory authority, which may be requested through the Argentine consular authorities; (...)”.

Sources: Ley N° 25.871 [Law 25.871]. 2013. Art. 62.

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

Do refugees have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

Do co-ethnics have the obligation to comply with military service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

Do agricultural workers have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

Do medical doctors have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

Do permanent residents have the obligation to comply with military service?

Answer: no military service in state of reception

Code: 97

Explanation: In Argentina, obligatory military service was abolished in 1995 by Law 24,429 (Art. 32). It is now voluntary, meaning both resident and non-resident Argentinean males can choose if they serve or not (Art. 1-7). Nevertheless, an exception can be made if the Army's quotas are not filled, in which case the Executive may request authorization from the Legislative to draft citizens turning 18 on that particular year (Art. 19).

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1-7, 19 and 32.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a "servicio social sustitorio" (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: "Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law". Art. 21 of Law 24.429 states, for social service, that: "The alternative social service shall consist of the carrying out of activities of public use, and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature".

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1.

Do refugees have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a "servicio social sustitorio" (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: "Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law". Art. 21 of Law 24.429 states, for social service, that: "The alternative social service shall consist of the carrying out of activities of public use, and may result in

the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature”.

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1 and 21.

Do co-ethnics have the obligation to comply with social service?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a “servicio social sustitorio” (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: “Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law”. Art. 21 of Law 24.429 states, for social service, that: “The alternative social service shall consist of the carrying out of activities of public use, and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature”.

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1 and 21.

Do agricultural workers have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a “servicio social sustitorio” (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: “Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law”. Art. 21 of Law 24.429 states, for social service, that: “The alternative social service shall consist of the carrying out of activities of public use, and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature”.

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1 and 21.

Do medical doctors have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a “servicio social sustitorio” (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: “Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law”. Art. 21 of Law 24.429 states, for social service, that: “The alternative social service shall consist of the carrying out of activities of public use, and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature”.

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1 and 21.

Do permanent residents have the obligation to comply with social service?

Answer: social service voluntary for citizens and non-citizens

Code: 0.5

Explanation: There is a “servicio social sustitorio” (alternative social service), but given that military service is voluntary, one can assume that such social service is voluntary as well. Besides, military service is not mandatory for foreigners: Art. 1 Law of 24.429 states: “Voluntary Military Service (VMS) is the service performed by Argentine men and women, natives, by choice or naturalized citizens, with the purpose of contributing to the national defense, offering their personal effort and dedication with the characteristics provided in this law”. Art. 21 of Law 24.429 states, for social service, that: “The alternative social service shall consist of the carrying out of activities of public use, and may result in the following tasks: a) Civil protection and defense activities, as prescribed by the respective law; b) Health, social or educational services; c) Environmental conservation, improvement of the rural environment and protection of nature”.

Sources: Ley N° 24.429 [Law 24.429]. 1995. Art. 1 and 21.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: “All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits

obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...).
Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: “human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...).”

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

Do refugees have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: “All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...).
Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: “human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...).”

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

Do co-ethnics have to pay income taxes in state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: “All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...).
Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: “human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...).”

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

Do agricultural workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: "All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...)"

Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: "human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...)"

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

Do medical doctors have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: "All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...)"

Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: "human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...)"

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

Do permanent residents have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Art. 1 of Decree 649/97 states: "All profits obtained by human or legal persons or other subjects indicated in this law are subject to the income tax provided for in this law. (...) The persons referred to in the preceding paragraphs, who are resident in the country, pay tax on all their profits obtained in the country or abroad, and the sums effectively paid for similar taxes on their activities abroad may be computed as payment on account of the tax under this law, up to the limit of the increase in the tax liability arising from the incorporation of the profits obtained abroad. (...)"

Furthermore, residence is defined as follows in Art. 26 of Decree 649/97: "human beings who live more than six (6) months in the country during the fiscal year are considered to be resident in the Republic (...)"

Sources: Ley N° 20.744 [Law 20.744]. 1976. / Decreto 649/97 [Decree 649/97]. 1997. Art. 1 and 26.

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: yes

Code: 1

Explanation: The National Direction of Migrations (Dirección Nacional de Migraciones) is the organ in charge of the implementation of migration policies. It is part of the Ministerio del interior, obras públicas y viviendas [Ministry of Interior, Public Works and Housing] since its creation on February 4, 1949. Art. 107 of Law 25.871 determines that "The National Direction of Migrations shall be the organ of application of the present law, with competence to understand in the admission, granting of residences and their extension, in the National Territory and abroad, being able to establish new delegations for this purpose, with the purpose of granting income permits, extensions of permanence and changes of qualification for foreigners. It shall also control the entry and exit of persons into the country and shall exercise control over the stay and police power of foreigners throughout the territory of the Republic."

Also, at the end of 2017 the "Centro de Orientación a Migrantes y Refugiados" [Migrant and Refugee Counselling Centre] was created as part of the Support Program for the Social Integration of Migrants. This center aims to provide valid information, such as migration procedures, legal advice and support, prevention of gender violence, institutional violence, provides empowerment workshops, language classes, introduction to employment and vocational workshops and also takes complaints in the event of acts of discrimination. On the other hand, it serves migrant communities that do not have headquarters where they can meet as a space for meetings, conferences and talks. It is a house open to cultural diversity. As of 2018 it still does not have a web page and there is no information about its rank in the organizational structure.

Sources: Mapa del Estado. "Mapa Home [Map Home]". Accessed July 10, 2018.

<http://mapadestado.jefatura.gob.ar/> / Ley N° 25.871 [Law 25.871]. 2013. Art. 107. / Migraciones. "Se presentó el Centro de Orientación a Migrantes y Refugiados [Migrants and Refugees Orientation Center launched]". Accessed August 11, 2018.

<http://www.migraciones.gov.ar/accesible/novedad.php?i=3880>.

Name of the institution with competencies for immigrant policies in original language:

Answer: Dirección Nacional de Migraciones.

Name of the institution with competencies for immigrant policies in English:

Answer: National Direction of Migrations.

Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: Within the Public Ministry of Defense, and the general ombudsman the Migrant Commission (Comisión del Migrante) supports migrants regardless of their migratory status providing them information on the procedures and mechanisms in the Migration Act to access justice, and legal representation. It also provides specialized and free legal assistance to the migrant population in administrative and judicial proceedings for all cases where an administrative act of expulsion from the territory is ordered so that respect for all due process is guaranteed in administrative and judicial procedures, taking into account the proportionality of the measures when it may affect the rights to private or family life or the right to special protection of children and adolescents.

Sources: Ministerio Público de la Defensa República Argentina. "Comisión del Migrante [Migrant Commission]". Accessed July 18, 2018. <https://www.mpd.gov.ar/index.php/programas-y-comisiones-n/56-comision-del-migrante>.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: No

Code: 1

Explanation: According to the applicable laws, Argentine nationality is not renounceable. The fact that foreign citizens who wish to acquire Argentine nationality have one or many other nationalities does not prevent or affect their possibility of acquiring the Argentine nationality.

Sources: Consulado General en Sydney. "Opción por la nacionalidad argentina - Procedimiento para su tramitación [Option for Argentine Nationality -Procedure for its Processing]". Accessed August 28, 2018. <http://csidn.mrecic.gov.ar/es/content/opci%C3%B3n-por-la-nacionalidad-argentina-procedimiento-para-su-tramitacion>.

Citizenship can be withdrawn only if person resides outside the country:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are there exceptions?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: No provision

Code: 1

Explanation: No. In the citizenship regulation of Argentina there is no distinction for citizenship acquired by birth and by naturalization. That is way in this case is the same citizenship law 346 that legislates this matter and applies the same principles as for “native Argentineans”.

Sources: Ley N° 346 [Law 346]. 1869 (2004). / Resolución 2650-1984-DNM [Resolution 2650-1984-DNM]. 1984.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for naturalized immigrants

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad?

Answer: Procedure for loss is withdrawal

Code: 0.25

Explanation: There is no provision on this matter in the citizenship and/or nationality regulations, so it is not a problem to be a resident abroad after naturalization.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

After how many years abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: Yes

Code: 1

Explanation: Art. 1 of law 346 states that: "Argentineans are: 1° All individuals born or to be born in the territory of the Argentine Republic, regardless of the nationality of their parents...".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 1.

6.1.5. Qualified jus soli

IMNAT_5: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: Art. 1 of Law 346 states that: "Argentineans are all individuals born or to be born in the territory of the Argentine Republic, regardless of the nationality of their parents".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 1.

6.1.6. Standard naturalization procedure for immigrants due to residence in the country

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: Naturalization based on residency requires two continuous years living in the country. Art. 2 of Law 346 specifies this as follows: "Citizens by naturalization are: 1. Foreigners over 18 years of age, who reside in the Republic for two continuous years and who express their will to be a foreigner before the federal judges of the section (...)".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Number of years of residence required for naturalization:

Answer: 2

Code: 2

Explanation: Art. 2 of Law 346 states: "...Foreigners over 18 years of age, who reside in the Republic for two continuous years (...).

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Number of continuous years of residence required for naturalization:

Answer: 2

Code: 2

Explanation: Art. 2 of Law 346 states: "...Foreigners over 18 years of age, who reside in the Republic for two continuous years (...).

Sources: Ley N° 346 [Law 346]. 1869. (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Permanent residence status is required for naturalization:

Answer: No

Code: 0

Explanation: Art. 2 of Law 346 states: "...Foreigners over 18 years of age, who reside in the Republic for two continuous years (...).

Sources: Ley N° 346 [Law 346]. 1869. (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Renunciation of previous nationality is required:

Answer: No renunciation requirement

Code: 0

Explanation: According to the applicable laws, Argentine nationality is not renounceable. The fact that foreign citizens who wish to acquire Argentine nationality have one or many other nationalities does not prevent or affect the possibility of acquiring Argentine nationality.

Sources: Consulado General en Sidney. "Opción por la nacionalidad argentina - Procedimiento para su tramitación [Option for Argentine Nationality - Procedure for its Processing]". Accessed August 28, 2018. <https://csidn.cancilleria.gob.ar/es/content/opci%C3%B3n-por-la-nacionalidad-argentina-procedimiento-para-su-tramitacion>.

Language condition for naturalization:

Answer: No language condition in the law

Code: 0

Explanation: Art. 2 of Law 346 which enumerates conditions for naturalization does not include a requirement of language: "Citizens by naturalization are: 1. Foreigners over 18 years of age, who reside in the Republic for two continuous years and who express their will to be a foreigner before the federal judges of the section. Other conditions are— proof of livelihood, such as an employment contract, current employment certificate or pay receipt, or, in case of self-employment, a photocopy of proof of contributions; a birth certificate duly legalized as appropriate with Apostille and/or International Legalization; a photocopy of ID card, passport; a certificate of background; a certificate of domicile; if the person has Argentine children, photocopies of their birth certificates and migration certificates.

Sources: Ley Nº 346 [Law 346]. 1869. Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Civil knowledge is a requisite for naturalization:

Answer: No naturalization test or cultural assimilation condition

Code: 0

Explanation: Art. 2 of Law 346 which enumerates conditions for naturalization does not include a requirement of language: "Citizens by naturalization are: 1. Foreigners over 18 years of age, who reside in the Republic for two continuous years and who express their will to be a foreigner before the federal judges of the section. Other conditions are: proof of livelihood, such as an employment contract, current employment certificate or pay receipt or, in case of self-employment, a photocopy of proof of contributions; a birth certificate duly legalized as appropriate with Apostille and/or International Legalization; a photocopy of ID card, passport; a certificate of background; a certificate of domicile; if the person has Argentine children, photocopies of their birth certificates and migration certificates.

Sources: Ley Nº 346 [Law 346]. 1869. (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. [https://www.argentina.gob.ar/obtener-la-ciudadania-argentina.1869\(2004\)](https://www.argentina.gob.ar/obtener-la-ciudadania-argentina.1869(2004)).

Clean criminal record is a requisite:

Answer: 0.5 No basic good character requirement commonly used also for citizens OR no crimes carrying sentences of more than 1 and less than 5 years

Code: 0.5 No basic good character requirement commonly used also for citizens OR no crimes carrying sentences of more than 1 and less than 5 years

Explanation: Yes, Art. 2 of Law 346 which enumerates conditions for naturalization includes a "certificate of background" as one of the requirements for naturalization.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

Economic resources as requisite for naturalization:

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: Yes, Art. 2 of Law 346 which enumerates conditions for naturalization includes a requirement of language: "Citizens by naturalization are: 1. Foreigners over 18 years of age, who "Proof of livelihood", such as an employment contract, current employment certificate or pay receipt or, in case of self-employment, a photocopy of proof of contributions.

Sources: Ley N° 346 [Law 346]. 1869 (2004).. Art. 2. / Argentina.gob.ar. Dirección Nacional de Migraciones. 2018. "Obtener la ciudadanía argentina [Obtaining Argentine Citizenship]". Accessed March 14, 2018. <https://www.argentina.gob.ar/obtener-la-ciudadania-argentina>.

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: No provision

Code: 0

Explanation: No provision for a naturalization based on socialization.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: No

Code: 0

Explanation: This procedure is not offered in Argentina.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by polity.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific polity?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about preferential naturalization for immigrants.

Sources: Ley N° 346 [Law 346]. 1869.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about naturalization based on cultural affinity or close ethnic ties.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Art. 2 of Law 346 enlists having married an Argentinean as one path to naturalization that shortens the standard residence period for naturalization.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the polity provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Art. 12 of Law 346 states that: "The children of a native Argentine and foreigners who are currently exercising their Argentine citizenship are considered naturalized citizens, without being subject to any of the requirements established by this law, and must only be registered in the National Civic Registry".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 12.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the polity facilitate the acquisition of nationality by a refugee in its territory?

Answer: No

Code: 0

Explanation: There is no special facilitated track for refugees aside from the standard naturalization procedures which refugees could also access.

Sources: Ley N° 346 [Law 346]. 1869. / Ley N° 26.165 [Law 26.165]. 2006. / Argentina.gob.ar. "Comisión Nacional para los Refugiados [National Commission for Refugees]". Access date not available. <https://www.argentina.gob.ar/interior/migraciones/comision-nacional-para-los-refugiados>.

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the polity provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: Yes

Code: 1

Explanation: There is a paragraph regarding reasons for exceptional naturalization, and the third and fourth grounds could be considered as criteria matching special achievements/talents, even though there is neither a specific definition nor conditions of applicability. Art. 2 of Law 346 states: "Foreigners who can prove that they have provided some of the following services, regardless of their length of residence: 1.- To have carried out with honesty, jobs of the Nation, or of the provinces inside or outside the Republic. 2.- To have served in the Army or in the squadron, or to have attended a war function in defense of the Nation. 3.- Having established a new industry or introduced a useful invention in the country. 4.- Be a businessman or railway builder in any of the provinces. 5.- To be found forming part of the colonies established or that from now on will be established, either in national territories or in those of the provinces provided that they possess some real estate property in them. 6.- To inhabit or populate national territories along the current border lines or outside them. 7.- To have married an Argentinean woman in any of the provinces. 8.- Teach in them the teaching staff in any of the branches of education or industry. (8. Ejercer en ellas el profesorado en cualesquiera de los ramos de la educación o de la industria.)".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the polity provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: There is a paragraph regarding reasons for exceptional naturalization in Art. 2 of Law 346 states, but no ground on the list seems to speak for special financial assets: "Foreigners who can prove that they have provided some of the following services, regardless of their length of residence: 1.- To have carried out with honesty, jobs of the Nation, or of the provinces inside or outside the Republic. 2.- To have served in the Army or in the squadron, or to have attended a war function in defense of the Nation. 3.- Having established a new industry or introduced a useful invention in the country. 4.- Be a businessman or railway builder in any of the provinces. 5.- To be found forming part of the colonies established or that from now on will be established, either in national territories or in those of the provinces provided that they possess some real estate property in them. 6.- To inhabit or populate national territories along the current border lines or outside them. 7.- To have married an Argentinean woman in any of the provinces. 8.- Teach in them the teaching staff in any of the branches of education or industry. (8. Ejercer en ellas el profesorado en cualesquiera de los ramos de la educación o de la industria.)".

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 2.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: No

Code: 0

Explanation: No provision was found on this.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: No

Code: 0

Explanation: No provision was found on this.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: No differentiation was found to exist in the regulations for regularized migrants in terms of their access to naturalization.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the polity provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization(i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: No such provision was found.

Sources: Ley N° 346 [Law 346]. 1869 (2004).

6.2. Immigrant citizenship

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the polity restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: Yes

Code: 1

Explanation: Yes, but just for being elected as President or Vicepresident or Senator.

Art. 89 of the Constitution states: "To be elected President or Vice President of the Nation, it is required to have been born in the Argentine territory, or to be the child of a native citizen, having been born in a foreign country; and the other qualities required to be elected Senator".

Art. 55 of the Constitution states: "The requirements to be elected senator are: to be thirty years old, to have been a citizen of the Nation for six years, to enjoy an annual income of two thousand pesos strong or an equivalent income, and to be a native of the province that elects him, or with two years of immediate residence in it".

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55 and 89.

For how long are the restrictions applied?

Answer: Indefinitely

Code: 0

Explanation: Indefinitely for the case of the offices of President and Vicepresident, and for 6 years for the office of Senator.

Sources: Ley N° 19.945 [Law 19.945]. 1983. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55 and 89.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Yes, for passive electoral rights for the offices of President, Vice-president and Senator.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55 and 89.

Do the restrictions apply to public office posts?

Answer: Yes

Code: 1

Explanation: Yes, for passive electoral rights for the offices of President, Vice-president and Senator.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 55 and 89.

Other type of restrictions

Answer: No

Code: 0

Explanation: No other restrictions were found to apply to naturalized persons.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the polity deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: Yes

Code: 1

Explanation: Yes. There is no provision in the regulation about the exact conditions, but Art. 8 of Law 346 states that “Political rights may not be exercised in the Republic by those naturalized in a foreign country; by those who have accepted jobs or honors from foreign governments, without the permission of the Congress; by fraudulent bankruptcies, nor by those who have on themselves a condemnatory sentence that imposes an infamous or death penalty”.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 8.

Are these rights recovered upon return?

Answer: yes

Code: 1

Explanation: Yes. Art. 9 of Law 346 states that “the Congress can grant rehabilitation to those who have lost the exercise of citizenship”.

Sources: Ley N° 346 [Law 346]. 1869 (2004). Art. 9.

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Yes

Code: 1

Explanation: Yes, but not because of having other nationalities, but because of having been born in a foreign country. Art. 1 of Law 19.945 states that: “Voters are native Argentines and by option, from the age of sixteen (16) years, and naturalized Argentines, from the age of eighteen (18) years, who do not have any of the disqualifications provided for in this law”. Art. 89 of the Constitution then specifies the disqualifications that apply: “To be elected President or Vice President of the Nation, it is required to have been born in the Argentine territory, or to be the child of a native citizen, having been born in a foreign country; and the other qualities required to be elected Senator”.

Sources: Ley N° 19.945 [Law 19.945]. 1983. Art. 1. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994. Art. 89.

How long do the restrictions apply?

Answer: Indefinitely

Code: 0

Explanation: Indefinitely for the case of the offices of President and Vicepresident, and for 6 years for the office of Senator.

Sources: Ley N° 19.945 [Law 19.945]. 1983. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: They apply to passive electoral rights to become President, Vice-President or Senator.

Sources: Ley N° 19.945 [Law 19.945]. 1983. / Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.

Do the restrictions apply to public office post?

Answer: Yes

Code: 1

Explanation: To the offices of President, Vice-President or Senator.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.

Other type of restrictions (beyond electoral and public office posts).

Answer: No

Code: 0

Explanation: Not other restrictions were found to exist to naturalized immigrants with or without dual citizenship.

Sources: Constitución de la Nación Argentina [Constitution of the Argentine Nation]. 1994.