

### Migration Policies in Dominican Republic 2017-2019

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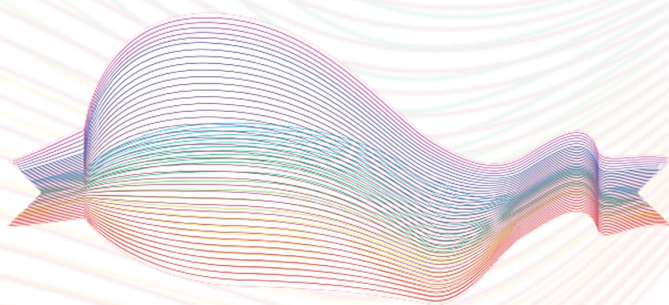
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# IMISEM

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

IMISEM CASE REPORT  
Migration Policies in

# Dominican Republic


2017-2019

Coordinated by:


Luicy Pedroza  
Pau Palop-García  
So Young Chang

January 2022

# G I G A

German  Institute for Global and Area Studies  
Leibniz-Institut für Globale und Regionale Studien

## 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](http://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](mailto: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: No. The constitution establishes that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes. Some restrictions do exist however, but they are limited to judicial decisions or based on provisions in the police, health and migratory laws. In the case of nationals, the only restriction found in the General Migration Law was the explicit prohibition of leaving the country while avoiding migration controls, with the explicit objective of illegally entering another country. In the case of foreigners, the only requirements for exit are to present their identification documents, if not passports, other types of documents recognized by the General Directorate for Migration. As such, as long as it is done legally, emigration is not prohibited.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 200 [Law 200]. 1974. Art. 1. / Ley N° 285 [Law 285]. 2004. Art. 78 and 143.

### **EMIGRATION\_2: Exit fees.**

#### **Prospective emigrants need to pay a fee before emigrating.**

Answer: No

Code: 1

Explanation: No specific fee related to exit and intention to settle abroad was found in the main regulations. Furthermore, in the case of nationals, the only restriction found in the General Migration Law was the explicit prohibition of leaving the country while avoiding migration controls, with the explicit objective of illegally entering another country.

Sources: Ley N° 285 [Law 285]. 2004. Art. 78 and 143. / Ley N° 200 [Law 200]. 1974.

#### **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 specific fee related to exit and intention to settle abroad was found in the main regulations. Furthermore, in the case of nationals, the only restriction found in the General Migration Law was the explicit prohibition of leaving the country while avoiding migration controls, with the explicit objective of illegally entering another country.

Sources: Ley N° 285 [Law 285]. 2004. Art. 78 and 143. / Ley N° 200 [Law 200]. 1974.

**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 specific limited to time spent abroad was found in the main regulations. Furthermore, in the case of nationals, the only restriction found in the General Migration Law was the explicit prohibition of leaving the country while avoiding migration controls, with the explicit objective of

illegally entering another country. It is however important to note that, in the specific case of naturalized citizens, staying abroad for a period of 10 years or longer will result in the revocation of their status.

Sources: Ley N° 285 [Law 285]. 2004. Art. 78 and 143. / Ley N° 200 [Law 200]. 1974. / Ley N° 1683 [Ley 1683]. 1948. Art. 12.

**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: 1950

Code: 1950

Explanation: In the most general case, that is for an adult national by birth, a normal passport (RD\$ 1,650.00) with photo (RD\$ 300.00) will cost RD\$ 1,950.00 or USD 38.39.

Sources: General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

**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: 38.39

Code: 38.39

Explanation: In the most general case, that is for an adult national by birth, a normal passport (RD\$ 1,650.00) with photo (RD\$ 300.00) will cost RD\$ 1,950.00 or USD 38.39.

Sources: Dirección General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

#### **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: No provision was found delimiting a maximum length of the passport procedure, neither in the passport law nor its regulation. An official website does however state that the process regularly takes about 6 working days.

Sources: Ley N° 208 [Law 208]. 1971. / Decreto N° 956 [Decree 956]. 1975. / Dirección General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

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

Answer: 6

Code: 6

Explanation: No provision was found delimiting a maximum length of the passport procedure, neither in the passport law nor its regulation. An official website does however state that the process regularly takes about 6 working days.

Sources: Ley N° 208 [Law 208]. 1971. / Decreto N° 956 [Decree 956]. 1975. / Dirección General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

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

Answer: From 0 to 2 months

Code: 1

Explanation: No provision was found delimiting a maximum length of the passport procedure, neither in the passport law nor its regulation. An official website does however state that the process regularly takes about 6 working days.

Sources: Ley N° 208 [Law 208]. 1971. / Decreto N° 956 [Decree 956]. 1975. / Dirección General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

#### **EMIGRATION\_6. Renewal of passport from abroad is possible:**

Answer: Yes

Code: 1

Explanation: Yes. The law establishes that consular missions will be tasked with providing passports and travel documents to Dominican nationals. Citizens are required to contact their nearest consulate with the necessary documents. They will be handed a new biometric passport after the procedure has been completed.

Sources: Ley N° 142-17 [Law 142-17]. 2017. Art. 50. / Consulado General de la Rep. Dominicana en la Rep. Checa. "Renovación de pasaporte por caducidad de la libreta [Passport Renewal to replace Expired Document]". Accessed July 9, 2019. <http://www.cdrc.gov.do/servicios-consulares/pasaportes/renovacion-de-pasaporte-por-caducidad-de-la-libreta>.

### 1.2.2. Other requirements

#### **EMIGRATION\_7. Local police certificate is necessary to emigrate:**

Answer: No

Code: 1

Explanation: No provisions requiring a local police certificate to emigrate were found in the main regulations. It is furthermore not listed as a requirement to obtain a passport.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 956 [Decree 956]. 1975. / Dirección General de Pasaportes. "Solicitud de pasaporte para adultos por primera vez (dominicanos por nacimiento) [First time Passport Application for Adults (Dominicans by Birth)]". Accessed July 9, 2019. <https://www.pasaportes.gob.do/index.php/servicios-s/solicitudes-nuevas>.

#### **EMIGRATION\_8. Superior/employer's permission is necessary to emigrate:**

Answer: No

Code: 1

Explanation: No provisions requiring a superior's permission to emigrate were found in the main regulations. Furthermore, the constitution explicitly states that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004.

#### **EMIGRATION\_9. Proof of income is necessary to emigrate:**

Answer: No

Code: 1



Explanation: No provisions requiring a proof of income were found in the main regulations. Furthermore, the constitution explicitly states that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004.

#### **EMIGRATION\_10. Registration abroad is mandatory.**

Answer: No

Code: 1

Explanation: Embassies and consulates are tasked with keeping an up to date registry of Dominican citizens residing abroad, which will include their personal data, profession and family structure, information which will be communicated back to the Ministry of Foreign Relations. However, no obligation for said citizens to take part in the register itself is specified.

Sources: Ley N° 285 [Law 285]. 2004. Art, 148.

### **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 provisions establishing ethnicity quotas to emigrate were found in the main regulations. Furthermore, the constitution explicitly states that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004.

#### **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 provisions establishing income quotas to emigrate were found in the main regulations. Furthermore, the constitution explicitly states that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004.

## **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: No provisions establishing emigration restrictions related to conscription were found in the main regulations. Furthermore, there is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004. / Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

## **EMIGRATION\_14: Banned countries for emigration.**

**There are countries that are banned as destination for emigrants:**

Answer: No

Code: 1

Explanation: No list of banned destinations for citizens was found, neither in the main provisions, nor in the websites of the Ministry of Foreign Relations or the General Directorate for Migration.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004. / Ministerio de Relaciones Exteriores República Dominicana. "Ministerio de Relaciones Exteriores de La República Dominicana - MIREX – Noticias [Ministry of

Foreign Relations of the Dominican Republic – MIREX – News]”. Accessed July 9, 2019.  
<http://www.mirex.gob.do/medios/> Dirección General de Migración. “Dirección General de Migración - Inicio [General Directorate for Migration - Homepage].” Accessed July 9, 2019.  
<https://www.migracion.gob.do/>.

**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: No education tax on emigration was found in the main regulations, neither in the higher education law nor in the General Migration Law. Furthermore, no regulation was found among tax law creating such a specific tribute.

Sources: Ley N° 139-01 [Law 139-01]. 2001. / Ley N° 285 [Law 285]. 2004. / Dirección General de Impuestos Internos. “Leyes Tributarias [Tax Law].” Accessed July 9, 2019.  
<https://dgii.gov.do/legislacion/leyesTributarias/Paginas/leyesTributarias.aspx>.

**EMIGRATION\_16. Recipients of state scholarship are banned from emigrating:**

Answer: No

Code: 1

Explanation: Yes, however partially. In the most recent call for applications made by the Ministry of Higher Education, it is explicitly stated that students who are awarded state scholarships to study in graduate programs abroad will not be authorized to remain in the country in which the studies were completed after the end of the program. This means they will not be allowed to stay in the given country in which they resided, but there is no provision that explicitly forces students to remain in the Dominican Republic in general, nor in the scholarship’s requirements or the general provisions.

Sources: Ley N° 285 [Law 285]. 2004. / Ley N° 200 [Law 200]. 1974. / Ministerio de Educación Superior, Ciencia y Tecnología. "Convocatoria a becas internacionales 2019 - 2020 - Especialidades, maestrías y doctorados [Call for International Scholarships 2019 - 2020 - Specialties, Master's and Doctoral Programs]". Accessed July 10, 2019.  
<http://beca.internacional.mescyt.gob.do/assets/Listado%20de%20Programas%20Becas%20Internacionales%202019.pdf>.

#### **EMIGRATION\_17: Ban for specific civil professional groups.**

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

Answer: No

Code: 1

Explanation: No provisions establishing emigration bans for specific professional groups were found in the main regulations. Furthermore, the constitution explicitly states that every person inside the national territory has the right to transit, reside and exit said territory freely, in accordance with the provisions the law establishes.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46. / Ley N° 285 [Law 285]. 2004. / Ley N° 200 [Law 200]. 1974.

**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: No campaigns encouraging emigration were found, neither in the webpages of the Ministry of Foreign Relations nor in the publications of the National Migration Institute. On the contrary, migration legislation gives the Ministry of Foreign Relations the faculty to create return programs and even allows the granting of benefits to returnees.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 145-147. / Instituto Nacional de Migración (@INM\_RD). [https://twitter.com/inm\\_rd](https://twitter.com/inm_rd). / Ministerio de Relaciones Exteriores República Dominicana. "Publicaciones del Ministerio de Relaciones Exteriores República Dominicana [Publications of the Ministry of Foreign Affairs of the Dominican Republic]". Accessed July 10, 2019. <https://issuu.com/comunicaciondigitalmirexrd/docs>.

**EMIGRATION\_21. Existence during 2017 of campaigns to discourage emigration:**

Answer: No

Code: 0

Explanation: No evidence of information campaigns to discourage emigration were found, neither in the webpages of the Ministry of Foreign Relations nor in the publications of the National Migration Institute or the main legal provisions. Programs designed to incentivize the return of migrants by providing certain benefits were found, with information being transmitted through the consular network. However, this does not equal an explicit campaign to discourage emigration from happening in the first place.

Sources: Ley N° 285 [Law 285]. 2004. / Instituto Nacional de Migración (@INM\_RD). [https://twitter.com/inm\\_rd](https://twitter.com/inm_rd). / Ministerio de Relaciones Exteriores República Dominicana. "Publicaciones del Ministerio de Relaciones Exteriores República Dominicana [Publications of the Ministry of Foreign Affairs of the Dominican Republic]". Accessed July 10, 2019. <https://issuu.com/comunicaciondigitalmirexrd/docs>.

**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: The law essentially bans the functioning of such agencies inside the national territory. It explicitly states that the functioning of private emigration agencies or agencies that do business with these are prohibited in the national territory, unless authorized for said specific purpose. While the law seems to provide a path towards authorization, no further provisions on this matter were found and the regulation of the migration law is also silent on the matter, making the provision a de facto ban.

Sources: Ley N° 285 [Law 285]. 2004. Art. 143. / Decreto N° 631-11 [Decreto 631-11]. 2011.

**EMIGRATION\_23: Emigration lump sum.**

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

Answer: No

Code: 0

Explanation: No evidence of incentive programs geared towards promoting emigration was found, neither in the webpages of the Ministry of Foreign Relations nor in the publications of the National Migration Institute or the main legal provisions. On the contrary, migration legislation gives the Ministry of Foreign Relations the faculty to create return programs and even allows the granting of benefits to returnees.

Sources: Ley N° 285 [Law 285]. 2004. Art. 145-147. / Instituto Nacional de Migración (@INM\_RD). [https://twitter.com/inm\\_rd](https://twitter.com/inm_rd). / Ministerio de Relaciones Exteriores. "Publicaciones del Ministerio de Relaciones Exteriores República Dominicana [Publications of the Ministry of Foreign Affairs of the Dominican Republic]". Accessed July 10, 2019. <https://issuu.com/comunicaciondigitalmirexrd/docs>.

**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: The law establishing the Dominican Social Security System (Sistema Dominicano de Seguridad Social – SDSS) does not foresee any mechanisms for withdrawal of accumulated social benefits. While migrants have a right to access the retirement pension scheme, they are subject to the same requirements when obtaining their benefits, meaning they will have to be at least 55 years old and have contributed for a specific amount of time or covered a specific quantity to access the pensions. Furthermore, in all cases, pensions can only be withdrawn periodically.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5, 45 and 54.

## **1.5. Penalties**

**EMIGRATION\_25: Loss of private property.**

**Risk of losing real state in case of emigration:**

Answer: No

Code: 1

Explanation: The Constitution explicitly recognizes the right to property for all people. Property can only be taken away in specific cases of public or social interest in accordance with the provisions established in the law. Furthermore, in the Expropriation Law, there is no provision referring to expropriation as a result from emigration.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51. / Ley N° 344 [Law 344]. 1943.

**Risk of losing bank accounts in case of emigration:**

Answer: No

Code: 1

Explanation: The Constitution explicitly recognizes the right to property for all people. Property can only be taken away in specific cases of public or social interest in accordance with the provisions established in the law. Furthermore, in the Expropriation Law, there is no provision referring to expropriation as a result from emigration.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51. / Ley N° 344 [Law 344]. 1943.

## **EMIGRATION\_26: Re-entry ban.**

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

Answer: No

Code: 1

Explanation: The constitution explicitly states that no Dominican can be deprived of the right to enter the national territory. It does not make any distinction on whether the Dominicans referred to in the provision are nationals by birth, by naturalization or dual nationals. Such restrictions are also not found in the constitution articles listing the limitations of naturalized citizens and dual nationals or in any of the naturalization laws.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 20 and 46. / Ley N° 1683 [Law 1683]. 1948. / Ley N° 169-14 [Law 169-14]. 2014.

### **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: The constitution explicitly states that no Dominican can be deprived of the right to enter the national territory. It does not make any distinction on whether the Dominicans referred to in the provision are nationals by birth, by naturalization or dual nationals. Such restrictions are also not found in the constitution articles listing the limitations of naturalized citizens and dual nationals or in any of the naturalization laws.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 20 and 46. / Ley N° 1683 [Law 1683]. 1948. / Ley N° 169-14 [Law 169-14]. 2014.

### **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: The constitution explicitly states that no Dominican can be deprived of the right to enter the national territory. It does not make any distinction on whether the Dominicans referred to in the provision are nationals by birth, by naturalization or dual nationals. Such restrictions are also not found in the constitution articles listing the limitations of naturalized citizens and dual nationals or in any of the naturalization laws.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 20 and 46. / Ley N° 1683 [Law 1683]. 1948. / Ley N° 169-14 [Law 169-14]. 2014.

**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: Not applicable since there are no payments or deposits.

Sources: Ley N° 285 [Law 285]. 2004. Art. 78 and 143. / Ley N° 200 [Law 200]. 1974.

## **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: The migration law establishes that the Ministry of the Interior and Police, through the General Directorate for Migration and with the support of other state organs, will be in charge of the implementation of the migration law in general. It further specifies that the General Directorate for Migration will be in charge of controlling passenger entry and exit out of the national territory and register said movements.

Sources: Ley N° 285 [Law 285]. 2004. Art. 5 and 6.

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

Answer: Dirección General de Migración

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

Answer: General Directorate for Migration

**Place in the administrative hierarchy:**

Answer: 3rd Rank in the public administration

Code: 0.5

Explanation: The Dirección General de Migración (General Directorate for Migration) depends on the Viceministry of Migration and Citizenship within the Ministry of Interior and Police.

Sources: Organigrama Ministerio Interior y Policía [Organizational Chart Ministry of Interior and Police]. 2014.

## 2. Emigrant policies

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### 2.1. Policies of representation

#### 2.1.1. Electoral rights

##### **EMIGRANT\_1. Voting is mandatory for citizens residing abroad:**

Answer: No

Code: 0

Explanation: The most recent regulation detailing the process of elections for nationals residing abroad explicitly states that the process of registering and exercising the right to vote is of a voluntary nature.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 3 and 5.

##### **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: The electoral law states that Dominicans abroad can make use of their right to vote to elect the President and Vice-president of the Republic and the representatives of the emigrant community in the Chamber of Deputies. However, the law does establish some restrictions on emigrants eligible to vote, if they fall under the following categories: 1) Those found guilty of a criminal offense without options to appeal remaining, until their citizenship rights are regained, 2) Those declared in contempt of court by the Dominican justice system, 3) Those going through the process of judicial interdiction, 4)-Those found guilty, without options to appeal remaining, of treason, espionage, conspiracy against the Dominican Republic or of taking arms, aiding or participating in any attack against it, 5)-Those who were to accept positions under the government prerogative of the states in which they reside in without previous authorization of the Dominican Government, 6)-Those who,

under their alternate citizenship, have entered the Armed Forces of their residence country, be it through conscription procedures or voluntarily.

Sources: Ley N° 15-19 [Law 15-19]. 2019. Art. 106 and 110.

### **EMIGRANT\_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: Neither the constitution nor the most recent electoral law establish any limitations on the passive electoral rights of non-resident citizens when it comes to the presidency, beyond the general requirements. These are: 1) Being Dominican by birth or origin, 2) Having reached thirty years of age, 3) Being in full exercise of their civil and political rights, 4) Not having been in military service or police duty for at least three years prior to the presidential elections.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 123. / Ley N° 15-19 [Law 15-19]. 2019.

## *Legislative elections*

### *Lower house (National Elections)*

### **EMIGRANT\_4. Can non-resident citizens vote in national legislative elections (lower house) from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: Yes. The electoral law explicitly states that Dominicans abroad can make use of their right to vote to elect the President and Vice-president of the Republic and the representatives of the emigrant community in the Chamber of Deputies, the lower house of the Dominican Congress. However, the law does establish some restrictions on emigrants if they fall under the following categories: 1) Those found guilty of a criminal offense without options to appeal remaining, until their citizenship rights are regained, 2) Those declared in contempt of court by the Dominican justice system, 3) Those going through the process of judicial interdiction, 4)-Those found guilty, without options to appeal remaining, of treason, espionage, conspiracy against the Dominican Republic or of taking arms, aiding or participating in any attack against it, 5)-Those who were to accept positions under the government prerogative of the states in which they reside in without previous authorization of the Dominican Government, 6)-Those who, under their alternate citizenship, have entered the Armed Forces of their residence country, be it through conscription procedures or voluntarily.

Sources: Ley N° 15-19 [Law 15-19]. 2019. Art. 106 and 110.

### **EMIGRANT\_5. Can non-resident citizens stand as candidates in national legislative elections (lower house) from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: The constitution guarantees the right of non-resident citizens to stand as candidates by designating seven seats in the lower house of Congress for deputies representing the Dominican community abroad. The requirements to stand as a candidate for such a seat are: 1) Be Dominican and having an identity and electoral card, 2) Be in full exercise of their civil and political rights, 3) Have turned 25 years of age, 4) Be registered in the registry of electors residing abroad, 5) Have lived for at least five years in the electoral district for which the candidate is running, 6) Not falling under the general categories limiting electoral rights stipulated in the constitution and the electoral law.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 81. / Ley N° 15-19 [Law 15-19]. 2019. Art. 112.

## Upper house (National Elections)

### **EMIGRANT\_6. Can non-resident citizens vote in national legislative elections (upper house) from abroad?**

Answer: Generally disenfranchised

Code: 0

Explanation: A right to vote for members of the senate is not contemplated in the law. The electoral law specifies that Dominicans abroad can make use of their right to vote to elect the President and Vice-president of the Republic and the representatives of the emigrant community in the Chamber of Deputies, the lower house of the Dominican Congress. This leaves out voting rights for the Senate, the upper house which is meant to represent the different provinces in the country.

Sources: Ley N° 15-19 [Law 15-19]. 2019. Art. 106. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 78.

### **EMIGRANT\_7. Can non-resident citizens stand as candidates in national legislative elections (upper house) from abroad?**

Answer: Only if past residence in lifetime or birth in the territory

Code: 0.75

Explanation: The requirements for being a senator are related to residency inside the province that will be represented, ("Being a native of the territory that elects him/her or having resident on said territory for at least 5 consecutive years. [...] Residing in the territory represented during their term"). Having said this, there is nothing legally preventing a non-resident from starting a candidacy abroad and moving into the country after being elected, as long as the residency or birthright requirements are met. Finally, no limitations to candidacy regarding the senate were found in the electoral law.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 79. / Ley N° 15-19 [Law 15-19]. 2019.

## Registration

### **EMIGRANT\_8. Registration in the electoral roll for non-resident citizens:**

Answer: Active registration, once-off

Code: 0.67|

Explanation: Registration is active, and only needs to be renewed when changing residency locations. The latest regulation establishes that non-resident citizens eligible to vote can voluntarily register in the Definitive List of Electors Residing Abroad by reaching out to any embassies or consular missions that provide this service or by requesting said change at any of the Offices for the Registering of Electors Abroad (OPREE). This essentially means that registration is active, voluntary and not automatic. Furthermore, if a voter wishes to vote in the national territory or in another place that differs from their original place of registration, they will have to reach out to the electoral authorities to unregister or change their circumscription, respectively. This makes clear that a periodic registration is not required, as one remains in a list of electors abroad tied to a specific circumscription until requested otherwise.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 8, 9 and 12.

### *Remote voting*

#### **EMIGRANT\_9. Voting methods from abroad:**

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

Answer: No

Code: 0

Explanation: Votes can be cast at polling stations or “Colegios electorales en el exterior – CEE”, which will be created by the Central Electoral Council in voting zones inside the three circumscriptions established by the law. There are a total of 20 cities/states designated as voting zones across 11 countries, which respond to the population density observed in the list of electors residing abroad. As such, polling stations seem to be limited to urban centers worldwide in which the number of Dominican emigrants is high.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 4 and 5.

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

Answer: No

Code: 0

Explanation: Votes can be cast at polling stations or “Colegios electorales en el exterior – CEE”, which will be created by the Central Electoral Council in voting zones inside the three circumscriptions established by the law. There are a total of 20 cities/states designated as voting zones across 11 countries, which respond to the population density observed in the list of electors residing abroad. As such, polling stations seem to be limited to urban centers worldwide in which the number of Dominican emigrants is high.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 4 and 5.

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

Answer: No

Code: 0

Explanation: Votes can be cast at polling stations or “Colegios electorales en el exterior – CEE”, which will be created by the Central Electoral Council in voting zones inside the three circumscriptions established by the law. There are a total of 20 cities/states designated as voting zones across 11 countries, which respond to the population density observed in the list of electors residing abroad. As such, polling stations seem to be limited to urban centers worldwide in which the number of Dominican emigrants is high.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 4 and 5.

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

Answer: No

Code: 0

Explanation: Votes can be cast at polling stations or “Colegios electorales en el exterior – CEE”, which will be created by the Central Electoral Council in voting zones inside the three circumscriptions established by the law. There are a total of 20 cities/states designated as voting zones across 11 countries, which respond to the population density observed in the list of electors residing abroad. As such, polling stations seem to be limited to urban centers worldwide in which the number of Dominican emigrants is high.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 4 and 5.

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

Answer: Yes

Code: 1

Explanation: Votes can be cast at polling stations or “Colegios electorales en el exterior – CEE”, which will be created by the Central Electoral Council in voting zones inside the three circumscriptions established by the law. There are a total of 20 cities/states designated as voting zones across 11 countries, which respond to the population density observed in the list of electors residing abroad. As such, polling stations seem to be limited to urban centers worldwide in which the number of Dominican emigrants is high.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 4 and 5.

## *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: Yes

Code: 1

Explanation: The constitution designates seven seats in the lower house of Congress for deputies representing the Dominican community abroad. These seats correspond to three circumscriptions subdivided into selected countries/areas of the world. Furthermore, the law explicitly states that the votes counted in each of these three circumscriptions will be allocated exclusively to the candidates running within them. Following Arrighi et al. (2013), we can classify this system of emigrant electoral representation as a combination of Special Subdivided and Incorporated Counting.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 81. / Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 5 and 6.

### **Number of special seats reserved for non-resident candidates in the lower house:**

Answer: 7

Code: 7

Explanation: These seats correspond to three circumscriptions subdivided into selected countries/areas of the world.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 81. / Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 5 and 6.

### **Number of special emigrant districts in the lower house:**

Answer: 3

Code: 3

Explanation: Seven seats correspond to three circumscriptions subdivided into selected countries/areas of the world

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 81. / Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 5 and 6.

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

Answer: No



Code: 0

Explanation: No such provision for special representation of emigrants in the upper house.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 79. / Ley N° 15-19 [Law 15-19]. 2019.

**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: no

Code:

Explanation: The functioning of external voting abroad is well documented.

Sources: Diario Listin. "Dominicanos quintuplican su votación en el exterior [Dominicans Increase their Voting Abroad Fivefold". Accessed June 24, 2016. <https://listindiario.com/la-republica/2016/06/24/424358/dominicanos-quintuplican-su-votacion-en->. / Diaro Libre. "Presidente JCE se reúne con representantes de partidos políticos de Nueva York [JCE President Meets with Representatives of the New York Political Parties]". Access date not available. [www.diariolibre.com](http://www.diariolibre.com).

**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: Yes, explicitly regulated in electoral regulations

Code: 1

Explanation: External party offices are legally allowed. Although the latest electoral law does not explicitly mention political party offices, it makes clear in two provisions that party organs can exist both nationally and internationally.

Sources: Ley N° 33-18 [Law 33-18]. 2018. Art. 24 and 28.

#### **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: Yes

Code: 1

Explanation: Yes. One of the most interesting examples is that of the New York chapter of the Dominican Liberation Party (Partido de Liberación Dominicana), the current governing party. Said chapter celebrated its 44th anniversary in 2017, making the tradition of external party offices a long and durable one.

Sources: El Jaya. "El PLD en Nueva York celebrará su 44 aniversario con un encuentro-agasajo navideño el 15 de diciembre [The PLD in New York Celebrates its 44th Anniversary with a Christmas Meeting]". Accessed December 11, 2017. <https://eljaya.com/index.php/noticias/mundo/24066-el-pld-en-nueva-york-celebrara-su-44-aniversario-con-un-encuentro-agasajo-navideno-el-15-de-diciembre>.

#### **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: The three biggest political parties in the country, based on the results of the 2016 general elections are: 1. Dominican Liberation Party (Partido de Liberación Dominicana - PLD), 2. Modern Revolutionary Party (Partido Revolucionario Moderno - PRM), 3. Christian Social Reformist Party (Partido Reformista Social Cristiano – PRSC).

The list of countries in which their offices were found consists of the following: a) United States of America (PLD, PRM, PRSC), b) Puerto Rico (PLD, PRM, PRSC), c) Spain (PLD, PRM, PRSC), d) Canada (PLD, PRM, PRSC), e) Venezuela (PLD, PRM), f) French Guiana (PLD), g) Argentina (PLD),

h) Aruba (PLD), i) San Martín (PLD), j) Panama (PLD) (PRM), k) Italy (PLM, PRD), l) Switzerland (PLD).

Code: same as answer.

Explanation: same as answer.

Sources: Junta Central Electoral. "Resultados Electorales 2016 [Electoral Results 2016]". Accessed July 17, 2019.

[https://jce.gob.do/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=10471&Command=Core\\_Download&language=es-ES&PortalId=1&TabId=190](https://jce.gob.do/DesktopModules/Bring2mind/DMX/Download.aspx?EntryId=10471&Command=Core_Download&language=es-ES&PortalId=1&TabId=190). / Partido de la Liberación Dominicana.

"Dirigentes del PLD en varios países fueron certificados por la Secretaría de Formación Política [PLD Leaders in Various Countries were Certified by the Secretary of Political Education]". Accessed July 17, 2019. <https://pld.org.do/noticias/del-partido/dirigentes-del-pld-varios-paises-fueron-certificados-la-secretaria-formacion-politica/>. / Tribuna Dominicana. "Seccionales y miembros del Comité Central del PLD en EE. UU. y Canadá reafirman su apoyo al gobierno Danilo Medina [Chapter and Central Committee Members of the PLD in the US and Canada Reaffirm their Support for the Government of Danilo Medina]". Accessed July 17, 2019. <https://www.tribunadominicana.net/?p=9397>.

#### **EMIGRANT\_16. Could external party offices receive public funding from state of origin?**

Answer: Yes, explicitly regulated in electoral regulations

Code: 1

Explanation: Yes, external party offices may receive public funding. Political parties are partly financed by state contributions which are given on the basis of previous electoral results. The law specifies that no less than 50% of state contributions will be used to finance administrative and operational costs of the political parties, such as salaries, rent, services among others. This means that, with no provision prohibiting spending on external party offices, spending on party organs and offices abroad, which are legitimate components of a party, is perfectly legitimate under the category of administrative costs.

Sources: Ley N° 33-18 [Law 33-18]. 2018. Art. 61 and 62.

### *Political campaigns*

#### **EMIGRANT\_17. Electoral campaigns abroad for home elections are legally regulated:**

Answer: Yes, explicitly regulated in electoral regulations and specific restrictions as compared with campaigns in national territory

Code: 0.75

Explanation: The law explicitly states that the candidates running for congress as representatives of the Dominican community abroad have the right to promote their respective candidacies, using all audiovisual and communication means permitted by the Dominican law, however always in compliance with the law in the states of residence. This essentially means that campaigns abroad in the case of congress are also subject to the general campaign regulations established in the electoral law, with the only explicit difference being that they must also abide by the regulations of their state of residency. Finally, the law is silent on specific regulations for presidential campaigns abroad. As such, we can assume that, as is the case for congressional elections, the general regulations apply.

Sources: Reglamento para el voto dominicano en el exterior [Regulation for Dominican Suffrage Abroad]. 2019. Art. 32. / Ley N° 15-19 [Law 15-19]. 2019. Art. 156-197.

#### **EMIGRANT\_18. Actual existence of campaigns abroad for home elections:**

Answer: Yes

Code: 1

Explanation: Yes, evidence was found of electoral campaigns abroad, mostly focused in the United States. In 2016 for example, evidence was found of campaign efforts in New York lead by the two biggest political parties, the PLD (Partido de Liberación Dominicana) and the PRM (Partido Revolucionario Moderno). More recently, evidence has been found of preparations being made for the campaign leading up to the 2020 general elections, by parties such as the PRM and even preparations for a presidential campaign in the case of the PDI (Partido Demócrata Institucional).

Sources: Partido de la Liberación Dominicana. "Dirección estatal del PLD en New York revisa plan electoral [State Leaders of the PLD in New York Review the Electoral Plan]". Accessed July 17, 2019. <https://pld.org.do/noticias/direccion-estatal-del-pld-en-new-york-revisa-plan-electoral/>. / Diáspora Dominicana. "PRM en Nueva York conforma comandos de campaña y arranca a buscar votos [PRM in New York creates Campaign Commandos and Starts to Look for Votes]". Accessed July 17, 2019. <http://diasporadominicana.com/2015/06/07/prm-en-nueva-york-conforma-comandos-de-campana-y-arranca-a-buscar-votos/>. / Diario Digital RD. "Servia Iris Familia dice su compromiso patriótico es derrotar al PLD [Servia Iris Familia Says her Patriotic Commitment is to Defeat the PLD]". July 16, 2019. Accessed July 17, 2019. <https://diariodigital.com.do/2019/07/15/servia-iris-familia-dice-su-compromiso-patriotico-es-derrotar-al-pld.html>. / Noticia y El Correo. "Ramfis Trujillo visitó Long Island en campaña presidencial para República Dominicana [Ramfis Trujillo Visits Long Island in Dominican Presidential Campaign]". Accessed July 17, 2019. <https://www.noticiali.com/articles/ramfis-trujillo-visito-long-island-en-campana-presidencial-para-republica-dominicana/>.

#### **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: The Party Law explicitly states that 40% the funds allocated by the state to political parties are to be used to support candidacies inside the national territory, meaning that campaigns abroad are dependent on other sources of private funding the party manages to collect.

Sources: Ley N° 33-18 [Law 33-18]. 2018. Art. 62.

### *Membership in political parties*

#### **EMIGRANT\_20. Emigrant membership to home country political parties:**

Answer: Legally allowed AND same status for emigrants as for residents

Code: 1

Explanation: As long as Dominican citizens are registered in the Dominican electoral registry, they are eligible to register in a political party. No provisions exist limiting membership to citizen residents. In

fact, the law explicitly states that each party must keep a registry of all of its members, including those residing abroad.

Sources: Ley N° 33-18 [Law 33-18]. 2018. Art. 4 and 9.

### **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: Yes

Code: 1

Explanation: The Dominican Republic has a two-level system of emigrant consultation. Consultative bodies work at the abroad at the lower level of the system and are later represented at the national level in the general assembly of the decision-making body responsible for the elaboration of emigrant policy, known as the National Council for Dominican Communities Abroad (Consejo Nacional para las Comunidades Dominicanas en el Exterior – CONDEX), however without any voting rights. At the national level, the CONDEX is defined in the law as the maximum authority of representation of Dominican communities abroad inside the Dominican Republic. The organ is tasked with designing and presenting, inside the council and to all its members, the national policy regarding Dominican Communities abroad, proposing the incorporation of said policies in the agendas of the different state institutions that form the Council and periodically informing the citizens of the current state of implementation of said policies. The CONDEX must celebrate an annual ordinary general assembly, which serves as a place to present, evaluate, and approve the actions, projects, programs and policies that the CONDEX designs and implements. The presidents of the Consultative Councils for Dominicans Abroad (Consejos Consultivos de la Presidencia de los Dominicanos en el Exterior - CCPDE), the consultative bodies at the consular level, will be invited to said assemblies, constituting as such, when meeting with the CONDEX, the consultative body at the national level. At the lower level, the CCPDEs councils are defined by the law as consultative bodies composed of prominent Dominicans abroad, with the main task of promoting the cooperation between its members and the Dominican state. They are created by the president and are based in cities where important communities of Dominican emigrants reside. They are actively involved in the design of emigrant policy, tasked with supporting the design and implementation of plans and projects in benefit of Dominican communities abroad. They are also responsible for gathering Dominicans committed to the development of their communities so that they can aid in the development of a national policy strategy by identifying the necessities of the emigrant community. Finally, they both serve as representatives of the CONDEX abroad and as a channel of communication to this institution, being responsible for the dissemination of information regarding CONDEX programs in the emigrant communities but also being represented in the CONDEX general assembly as previously mentioned. Summarizing, more than a mere consultative council, the CCPDEs seem to be a mixture of a policy-making/ implementing body and a traditional consultative council that communicates the concerns of the emigrant community to the state.

Sources: Ley N° 1-08 [Law 1-08]. 2008. Art. 3. / Decreto N° 674-08 [Decree 674-08]. 2008. Art. 10-13, 15, 18, 30 and 34.

#### **EMIGRANT\_22. The consultation is structural or ad hoc:**

Answer: Structural

Code: 1

Explanation: Consultation is structural. The members of the CONDEX must convene at least once a year in an ordinary General Assembly, to which the presidents of the different CCPDEs, emigrants residing abroad, as all members of the CCPDE are, will be invited. These assemblies serve as a place to present, evaluate, and approve the actions, projects, programs and policies that the CONDEX designs and implements, namely the national emigrant policy.

Sources: Decreto N° 674-08 [Decree 674-08]. 2008. Art. 13-15, 40 and 43.

#### **EMIGRANT\_23. Composition of the consultative body:**

Answer: 0.75

Code: 0.75

Explanation: The body is composed of state authorities located in the executive branch and chosen by the president, together with the invited presidents of the CCPDEs, which must be emigrants residing abroad and are chosen by the CPPDEs General Assemblies together with State. The consultative body, meaning the General Assembly of the CONDEX, is composed of: a) The Vice-president of CONDEX, a position equal to the rank of minister, b) The Minister of Foreign Relations, c) The Minister of Economic Affairs, Planning and Development, d) The Minister of Culture, e) The Minister of Education, f) The Minister of Higher Education Science and Technology, g) The Minister of Industry and Commerce, h) The Minister of Public Health, i) The Minister of Labor, j) The Minister of Tourism, k) The General Director of Migration, l) The Executive Director of the Center for Export and Investment of the Dominican Republic, m) The Presidents of the CPPDEs, n) Invited guests. When choosing certain members of the Executive Council of the CCPDEs, namely the President, Vice-president, Secretary and Bursar, the Executive Vice-president of CONDEX will have the power to select them. They will however need to be ratified by the General Assembly of Members.

Sources: Decreto N° 674-08 [Decree 674-08]. 2008. Art. 10, 13, 15 and 66.

#### **EMIGRANT\_24. Who chairs the consultative body?**

Answer: Member of the government

Code: 0.25

Explanation: The President of the Republic also presides over CONDEX will chair the National Assembly.

Sources: Decreto N° 674-08 [Decree 674-08]. 2008. Art. 14.

#### **EMIGRANT\_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: No

Code: 0

Explanation: No provision specifying a right of initiative was found in the main regulations.

Sources: Ley N° 1-08 [Law 1-08]. 2008. / Decreto N° 674-08 [Decree 674-08]. 2008.

**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: No

Code: 0

Explanation: No provision specifying a right to get a response was found in the main regulations.

Sources: Ley N° 1-08 [Law 1-08]. 2008. / Decreto N° 674-08 [Decree 674-08]. 2008.

**EMIGRANT\_27. Selection criteria to ensure representativeness**

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

Answer: No

Code: 0

Explanation: No such provision found.

Sources: Ley N° 1-08 [Law 1-08]. 2008. Art. 3.

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

Answer: 1

Code: 1

Explanation: Yes, although not explicit. Fair representation of CCPDEs before the CONDEX assembly is theoretically ensured through a criterion of population density, as these bodies must be located in cities with an important Dominican emigrant community. Although this is not an exact parameter, it does make clear that a city with a small population of Dominicans would not be considered representative enough to justify the creation of a CCPDE.

Sources: Ley N° 1-08 [Law 1-08]. 2008. Art. 3.

*Consultative bodies at the consular level*

**EMIGRANT\_28. Existence of a consultative body of emigrants at the consular level.**

Answer: Yes

Code: 1

Explanation: Yes. In addition to the two-level COMEX system, the INDEX system also counts with its own consultative councils, named consultative committees. These however work exclusively at the consular level, as an advisory council for policy-making that is part of all INDEX offices abroad. It is

important to note that while the INDEX is not part of the consular network per se, it functions under the Ministry of Foreign Relations and has a direct connection with diplomatic officials, as they function as advisors to the INDEX by law. The law establishes that Consultative Committees will be located in every office of the INDEX abroad and are tasked with assessing the Institute in all its programs and projects meant to improve the quality of life Dominicans abroad and in their integration to the national development processes. They are composed of a representative of civil society organizations of Dominican origin and representatives of other organizations in the area of residence that have proven ties to the Dominican community. Among its concrete tasks are: Supporting the establishment of links between the local INDEX office, other civil society organizations and associations composed of Dominicans residing abroad; Putting forward suggestion regarding programs and projects that might contribute to achieving the goals of the INDEX office; Putting forward suggestions regarding fields of study to be researched so as to aid in the design of INDEX programs that will benefit the Dominican Diaspora; Assessing the Director of the local office in all aspects related to his or her tasks.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 1, 16, 17 and 18.

#### **EMIGRANT\_29. The consultation is structural or ad hoc:**

Answer: Ad Hoc

Code: 0

Explanation: Consultation is ad hoc, as no provision in the INDEX regulation was found that specifies a specific time frame or situation in which these councils are to be consulted by law.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017.

#### **EMIGRANT\_30. Composition of the consultative body:**

Answer: Only emigrants

Code: 1

Explanation: The Consultative Committees are composed of a representative of civil society organizations of Dominican origin and representatives of other organizations in the area of residence that have proven ties to the Dominican community. All these members will be appointed by the executive council of the INDEX, which is composed of authorities inside the Ministry of Foreign Relations.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 9 and 17.

#### **EMIGRANT\_31. Who chairs the consultative body?**

Answer: Not specified in regulations

Code: 0

Explanation: The regulation of the INDEX provides no specific provision regarding the chair of the consultative committees.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017.



**EMIGRANT\_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Yes

Code: 1

Explanation: In the statute of the INDEX, one of the tasks assigned to consultative committees, independent of a specific consultation or a particular assessment request made by the INDEX, is to put forward suggestions regarding possible programs, projects and research that could support these.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 18.

**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: No

Code: 0

Explanation: No provision specifying a right to get a response was found in the statute of the INDEX.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017.

**EMIGRANT\_34. Selection criteria to ensure representativeness**

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

Answer: No

Code: 0

Explanation: No provisions specifying criteria for representativeness were found in the statute of the INDEX.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017.

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

Answer: No

Code: 0

Explanation: No provisions specifying criteria for representativeness were found in the statute of the INDEX.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017.

## 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: The opposite seems to be true, as both the INDEX and the CONDEX have an explicit mandate to seek to partner with other organizations so as to fulfill their goals of establishing programs to support the emigrant community. In the case of the INDEX, these includes both private and public organizations, Dominican and foreign, and even seeking the support of the local Dominican community to serve as volunteers. Furthermore, no provisions were found that specify any kind of consular support for these organizations in the main regulations.

Sources: Decreto N° 674-08 [Decree 674-08]. 2008. Art. 21.

## 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 INDEX has an explicit mandate to seek the integration between the diaspora, the Dominican Republic and their communities of origin through strategies of co-development or any other strategies based on solidarity and mutual cooperation. Also, the Ministry of Economic Affairs, Planning and Development recently organized, together with the Ministry of Foreign Relations and the New York Consulate, a workshop for the integration of the Dominican diaspora into the development of the Dominican Republic, in which plans for a normative network that integrates the diaspora and their remittances into the development of Municipalities and other local level circumscriptions were discussed.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 6. / Ministerio de Economía, Planificación y Desarrollo. "Imparten taller para integración de la diáspora dominicana al desarrollo local de RD [Workshop is Held to Integrate the Dominican Diaspora in the Local Development of the DR]". Accessed July 19, 2019. <http://economia.gob.do/imparten-taller-integracion-la-diaspora-dominicana-al-desarrollo-local-rd/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>. / Banreservas. "Remesas Banreservas [Banreservas Remittances]". Accessed July 19, 2019. <https://www.banreservas.com/products/remesas>.

**Measures to improve banking channels for remittances:**

Answer: Yes

Code: 1

Explanation: The INDEX has an explicit mandate to seek the integration between the diaspora, the Dominican Republic and their communities of origin through strategies of co-development or any other strategies based on solidarity and mutual cooperation. The consular network in the United States has cooperated several times with the state bank, Banreservas, with the purpose of offering personal finance seminars to the emigrant community, in which the goal is to both introduce said communities to the banking system and make them aware of the benefits and channels for sending remittances. Banreservas has in turn its own product called Remesas Banreservas, that eases the process of sending money back to the Dominican Republic through the establishment of partner institutions all over the world.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 6. / Ministerio de Economía, Planificación y Desarrollo. "Imparten taller para integración de la diáspora dominicana al desarrollo local de RD [Workshop is Held to Integrate the Dominican Diaspora in the Local Development of the DR]". Accessed July 19, 2019. <http://economia.gob.do/imparten-taller-integracion-la-diaspora-dominicana-al-desarrollo-local-rd/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>. / Banreservas. "Remesas Banreservas [Banreservas Remittances]". Accessed July 19, 2019. <https://www.banreservas.com/products/remesas>.

#### **Existence of fee controls for remittances:**

Answer: No

Code: 0

Explanation: No such provision found.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 6. / Ministerio de Economía, Planificación y Desarrollo. "Imparten taller para integración de la diáspora dominicana al desarrollo local de RD [Workshop is Held to Integrate the Dominican Diaspora in the Local Development of the DR]". Accessed July 19, 2019. <http://economia.gob.do/imparten-taller-integracion-la-diaspora-dominicana-al-desarrollo-local-rd/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>. / Banreservas. "Remesas Banreservas [Banreservas Remittances]". Accessed July 19, 2019. <https://www.banreservas.com/products/remesas>.

#### **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: The INDEX has an explicit mandate to seek the integration between the diaspora, the Dominican Republic and their communities of origin through strategies of co-development or any other strategies based on solidarity and mutual cooperation. However, concrete co-development programs based on this mandate were not found in the case of the INDEX or the Ministry of Economic Affairs, Planning and Development.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 6. / Ministerio de Economía, Planificación y Desarrollo. "Imparten taller para integración de la diáspora dominicana al desarrollo local de RD [Workshop is Held to Integrate the Dominican Diaspora in the Local Development of the DR]". Accessed July 19, 2019. <http://economia.gob.do/imparten-taller-integracion-la-diaspora-dominicana-al-desarrollo-local-rd/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>. / Banreservas. "Remesas Banreservas [Banreservas Remittances]". Accessed July 19, 2019. <https://www.banreservas.com/products/remesas>.

### 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: Yes

Code: 1

Explanation: No programs or strategies to attract investment specifically from the emigrant community were found, neither in the Foreign Investment Law nor in the Publications of the Center for Export and Investment of the Dominican Republic, the main state agency responsible for promoting exports and foreign Investment. Housing programs were found that offer the possibility of house ownership to emigrants. However, these are framed as return programs and come with a series of benefits for people with limited access to credit. As such, they are aimed at emigrants as prospective returnees.

Sources: Ley N° 16-95 [Law 16-95]. 1995 / Centro de Exportación e Inversión de la República Dominicana. "CEIRD – Publicaciones [Publications of the Center for Exports and Foreign Investment of the DR]". Accessed July 19, 2019. <https://www.ceird.gob.do/wp/blog/>. / Ciudad Juan Bosch. "Dominicanos del exterior [Dominicans Abroad]". Accessed July 19, 2019. <https://ciudadjuanbosch.gob.do/dominicanos-del-exterior/>.

### 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: No

Code: 0

Explanation: No such specific networks or similar initiatives were found, neither in the main regulations nor websites of the Ministry of Foreign Relations, the INDEX or the CONDEX. A common type of initiative to promote connections between highly qualified emigrants and the home country seem to be awards, given to successful Dominican emigrants that have maintained ties with their home country. These awards both serve as a promotion of the Dominican image abroad and as an example and incentive for future generations of emigrants to excel and not forget their roots, so the reasoning of the Ministry of Foreign Relations, which, in addition to the INDEX, has established these types of awards.

Sources: Ley N° 630-16 [Law 630-16]. 2016. / Ley N° 1-08 [Law 1-08]. 2008. / Decreto N° 303-17 [Decree 303-17]. 2017. / Ministerio de Relaciones Exteriores República Dominicana. "Premio

internacional al emigrante dominicano [International Award for the Dominican Emigrant]". Accessed July 19, 2019. <http://www.premioemigrantedominicano.gob.do/#sp-informaciones-generales>. / INDEX PR. "Anuncian nominaciones del premio INDEX-PR a la excelencia dominicana [Nominations are Announced for the INDEX-PR Award for Dominican Excellence]". Accessed July 19, 2019. <https://www.index-pr.com/noticias-2/premios-index-pr-2018/item/300-anuncian-nominaciones-del-premio-index-pr-a-la-excelencia-dominicana.html>.

## 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: For both nationals and foreigners, a process of recognition needs to be started at the main public university in the Dominican Republic. The law establishes a procedure for the recognition of academic and professional qualifications obtained abroad, which is in charge of the Dominican state's main public university, the Autonomous University of Santo Domingo (Universidad Autónoma de Santo Domingo - UASD). However, the documents must first be certified by the Ministry of Higher Education, a process which has no specific time of duration and depends on the document. The UASD does provide an approximation of how long the process could last, calculating its minimum length to a period of three months.

Sources: Ley N° 139-01 [Law 139-01]. 2001. Art. 33. / Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-reconocimiento-de-titulo>. / Ministerio de Educación Superior, Ciencia y Tecnología. "Legalización de documentos académicos extranjeros [Legalization of Foreign Academic Documents]". Accessed July 19, 2019. <https://mescyt.gob.do/servicios/legalizacion-de-documentos-academicos-extranjeros/>. / Universidad Autónoma de Santo Domingo. "Preguntas frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/preguntas-frecuentes>.

**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 UASD does provide an approximation of how long the process could last, calculating its minimum length to a period of three months.

Sources: Ley N° 139-01 [Law 139-01]. 2001. Art. 33. / Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-reconocimiento-de-titulo>. / Ministerio de Educación Superior, Ciencia y Tecnología. "Legalización de documentos académicos extranjeros [Legalization of Foreign Academic Documents]". Accessed July 19, 2019.

<https://mescyt.gob.do/servicios/legalizacion-de-documentos-academicos-extranjeros/>. / Universidad Autónoma de Santo Domingo. "Preguntas frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/preguntas-frecuentes>.

**EMIGRANT\_40. Communication campaigns aiming to convince emigrants to return to home country:**

Answer: No

Code: 0

Explanation: No explicit communication campaigns aiming to convince emigrants to return were found, neither in publications of the Ministry of Foreign Relations, nor in the websites of the main IMEX offices abroad.

Sources: INDEX MADRID. "Instituto de dominicanos y dominicanas en el exterior – Inicio [Institute for Dominicans Abroad – Homepage]". Accessed July 19, 2019. <https://indexmadridrd.com/>. / INDEX PR. "Instituto de dominicanos y dominicanas en el exterior Puerto Rico – Inicio [Institute for Dominicans Abroad in Puerto Rico – Homepage]". Accessed July 19, 2019. <https://www.index-pr.com/>. / Ministerio de Relaciones Exteriores República Dominicana. "Publicaciones del Ministerio de Relaciones Exteriores República Dominicana [Publications of the Ministry of Foreign Affairs of the Dominican Republic]". Accessed July 10, 2019. <https://issuu.com/comunicaciondigitalmirexrd/docs>.

**EMIGRANT\_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:**

Answer: No

Code: 0

Explanation: No return programs for highly qualified Dominicans were found, neither in the main regulations nor websites of the Ministry of Foreign Relations, the INDEX or the CONDEX. The main policy type concerning highly qualified emigrants seems to be award giving.

Sources: Ley N° 630-16 [Law 630-16]. 2016. / Ley N° 1-08 [Law 1-08]. 2008. / Decreto N° 303-17 [Decree 303-17]. 2017. / Ministerio de Relaciones Exteriores República Dominicana. "Premio internacional al emigrante dominicano [International Award for the Dominican Emigrant]". Accessed July 19, 2019. <http://www.premioemigrantedominicano.gob.do/#sp-informaciones-generales>. / INDEX PR. "Anuncian nominaciones del premio INDEX-PR a la excelencia dominicana [Nominations are Announced for the INDEX-PR Award for Dominican Excellence]". Accessed July 19, 2019. <https://www.index-pr.com/noticias-2/premios-index-pr-2018/item/300-anuncian-nominaciones-del-premio-index-pr-a-la-excelencia-dominicana.html>.

**EMIGRANT\_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:**

Answer: Yes

Code: 1

Explanation: Programs do exist that provide monetary benefits to returning emigrants. Consulates of the Dominican Republic abroad offer a Voluntary Return Plan, which is essentially a program that, after a minimum residence period of two years abroad, grants migrants custom duty exemptions when importing their personal goods, work tools and vehicles, as long as they intend to go back to the

Dominican Republic and reside there permanently. The housing program “Juan Bosch City” also offers various benefits specifically designed for Dominican emigrants, so that they might acquire their first house in the Dominican Republic, the most important of which are access to two state bonuses that cover 8% to 12% of the value to be paid, exemptions on consular fees for the documents they might need for the process. as well as different credit lines that can be arranged without a local collateral.

Sources: Consulado General de la República Dominicana en Madrid. “Plan retorno voluntario [Voluntary Return Plan]”. Accessed July 10, 2019. <https://consuladordmadrid.es/plan-retorno-voluntario/>. / Ley N° 146-00 [Law 146-00]. 2000. Art. 6. / Ley N° 168-67 [Law 168-67]. 1967. / Ciudad Juan Bosch. “Dominicanos del exterior [Dominicans Abroad]”. Accessed July 19, 2019. <https://ciudadjuanbosch.gob.do/dominicanos-del-exterior/>.

## **2.3. Social Policies**

### **2.3.1. Retirement benefits**

#### **EMIGRANT\_43. Retirement benefits after emigration (i.e. pensions):**

Answer: Yes

Code: 1

Explanation: Yes, emigrants can continue contributing to their Dominican retirement funds from abroad and receive a Dominican pension if they choose to remain in this system. They can also opt to have their years of work in the Dominican Republic recognized by the social security system in their residence country, but only in the cases of Ecuador and Spain, countries with which treaties have been signed. In general, the law grants Dominicans residing abroad access to the country's retirement pension scheme. Emigrants can contribute personally to the Social Security system either by international money transfers or by visiting official agencies abroad. This system also allows transfers paid in foreign currency to be transferred back as pensions in the same currency once the retirement age is reached. However, the problem with this system is that emigrants moving to another country would be tied down to the retirement scheme of their origin country, not accessing the social security system in their residence country or, on the contrary, paying double contributions if social security is of an obligatory nature in their residence country. These issues could be avoided by bilateral social security treaties that recognize the years worked in both countries when calculating the pensions to be received, however the Dominican Republic has only signed two such treaties, one with Ecuador and one with Spain.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 37. / Resolución N° 31-06 [Resolution 31-06]. 2006. / Resolución N° 525-14 [Resolution 525-14]. 2014.

### **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: The law states that only Dominicans and foreign citizens residing in the national territory can have access to the health care coverage under the Dominican Social Security system.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

**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: The law states that only Dominicans and foreign citizens residing in the national territory can have access to the health care coverage under the Dominican Social Security system.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

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

Answer: No

Code: 0

Explanation: No scheme found that provides for this. The law states that only Dominicans and foreign citizens residing in the national territory can have access to the health care coverage under the Dominican Social Security system.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

### 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: Yes

Code: 1

Explanation: Evidence for various educational programs and initiatives have been found. However, few of them seem to be centralized and are rather dependent on the abilities of the local consulates or INDEX offices, as well as the partner organizations they are able to attract. Emigrants have access to state scholarships awarded by the state for graduate studies abroad. The INDEX and the Ministry of Higher education announced that for the 2019 scholarships, all Dominicans, those residing in the national territory and abroad, would be able to apply. The INDEX and Dominican Consulates, usually in cooperation with local organizations, have also been found to provide professional development and financial management courses in various instances. For example, the INDEX in Puerto Rico has



partnered with the local Dominican consulate and the Medical School of the University of Puerto Rico in at least three instances, so as to organize courses in geriatrics and first aid for the Dominican community. The Dominican Consulate in NYC even has a specific department for Community Affairs, in charge of overseeing the different programs designed to improve the quality of life of the emigrant community. These range from educational and financial management programs to cultural and healthcare ones. Recent examples include courses on savings and personal financial management, provided in conjunction with the state bank, Banreservas, or courses on how to access credit and entrepreneurship, provided in conjunction with WE-NYC. Finally, the Dominican Consulate in NYC has partnered with CENAPEC, a Dominican non-profit recognized by the Ministry of Education, to offer Dominican emigrants a chance to finish their Dominican secondary education through online courses, so as to be able to obtain better jobs abroad.

Sources: INDEX PR. "Gobierno RD ofrece becas a estudiantes dominicanos. [DR Government Offers Scholarships to Dominican Students]". Accessed July 20, 2019. <https://www.index-pr.com/noticias/index-pr/item/340-gobierno-rd-ofrece-becas-a-estudiantes-dominicanos.html>.

**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: No

Code: 0

Explanation: No establishment of school facilities found, but the Dominican Consulate in NYC has partnered with CENAPEC, a Dominican non-profit recognized by the Ministry of Education, to offer Dominican emigrants a chance to finish their Dominican secondary education through online courses, so as to be able to obtain better jobs abroad.

Sources: Diario Libre. "Dominicanos residentes en Nueva York podrán terminar el bachillerato a distancia [Dominicans Residing in New York Will Be Able to Complete High School by Distance Learning]". Accessed July 20, 2019. <https://www.diariolibre.com/actualidad/educacion/dominicanos-residentes-en-nueva-york-podran-terminar-el-bachillerato-a-distancia-AJ7964507>.

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

Answer: No

Code: 0

Explanation: There are no language or cultural courses aimed specifically for children of emigrants, but an array of educational programs available to the emigrant community. Evidence for various educational programs and initiatives have been found. However, few of them seem to be centralized and are rather dependent on the abilities of the local consulates or INDEX offices, as well as the partner organizations they can attract. Emigrants have access to state scholarships awarded by the state for graduate studies abroad. The INDEX and the Ministry of Higher education announced that for the 2019 scholarships, all Dominicans, those residing in the national territory and abroad, would be able to apply. The INDEX and Dominican Consulates, usually in cooperation with local organizations, have also been found to provide professional development and financial management courses in various instances. For example, the INDEX in Puerto Rico has partnered with the local Dominican consulate and the Medical School of the University of Puerto Rico in at least three instances, so as to organize courses in geriatrics and first aid for the Dominican community. The Dominican Consulate in NYC even has a specific department for Community Affairs, in charge of overseeing the different programs designed to improve the quality of life of the emigrant community. These range from educational and financial management programs to cultural and healthcare ones. Recent examples include courses on savings and personal financial management, provided in conjunction with the state

bank, Banreservas, or courses on how to access credit and entrepreneurship, provided in conjunction with WE-NYC. Finally, the Dominican Consulate in NYC has partnered with CENAPEC, a Dominican non-profit recognized by the Ministry of Education, to offer Dominican emigrants a chance to finish their Dominican secondary education through online courses, so as to be able to obtain better jobs abroad.

Sources: INDEX PR. "Gobierno RD ofrece becas a estudiantes dominicanos [DR Government Offers Scholarships to Dominican Students]". Accessed July 20, 2019. <https://www.index-pr.com/noticias/index-pr/item/340-gobierno-rd-ofrece-becas-a-estudiantes-dominicanos.html>. / INDEX PR. "Entrega certificados del seminario aspectos básicos en geriatría, curso en primeros auxilios y resucitación cardiopulmonar [Awarding of Certificates for the Seminar on Basic Aspects of Geriatrics, First Aid and Cardiopulmonary Resuscitation Course]". Accessed July 20, 2019. <https://www.index-pr.com/noticias/index-pr/item/246-index-pr-entrega-certificados-del-seminario-aspectos-basicos-en-geriatria-y-curso-en-primeros-auxilios-y-resucitacion-cardiopulmonar.html>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>. / Consulado Dominicano en NY (@consuldom\_ny). 2019. "El Consulado de la República Dominicana y WE NYC (<https://we.nyc/>) se unen para celebrar el mes de las mujeres fundadoras de negocios y apoyar a las mujeres emprendedoras de Nueva York con WE Fund Crowd! (<https://we.nyc/we-fund-crowd/>) WE Fund Crowd ofrece prestamos de financiamiento colectivo (crowdfunding) de hasta \$10,000 y con 0% de interés. Cuando participas en el programa de WE Fund Crowd, WE NYC será tu primer inversionista, prestándote 10%, hasta \$1,000, para tu campaña. Tus amigos, tu familia, y todos los potenciales inversionistas para tu campaña podrán ver que WE NYC y la Ciudad de Nueva York creen en tu emprendimiento y creen en que eres capaz de hacer tus sueños realidad! Nuestras campañas no se fijan en tu puntaje de crédito. En vez, miramos tu carácter, el impacto que el préstamo tendrá en tu comunidad, y cuanto te apoya tu comunidad. Todo esto lo puedes demostrar consiguiendo a 5-25 personas que creen en ti y en tu empresa y que están dispuestos a invertir un mínimo de \$25 hacia tu campaña. ¿Estas interesado en WE Fund Crowd? ¡Aplica aquí! <https://we.nyc/we-fund-crowd/#apply-now> ¿Estas interesada en apoyar a mujeres fundadoras de negocios? Ve todas las campañas que están activas y celebra el mes apoyando a otras mujeres fundadoras!" Accessed July 20, 2019. [https://www.instagram.com/p/BxfiB\\_wHKdw/](https://www.instagram.com/p/BxfiB_wHKdw/). / Diario Libre. "Dominicanos residentes en Nueva York podrán terminar el bachillerato a distancia [Dominicans Residing in New York Will Be Able to Complete High School by Distance Learning]". Accessed July 20, 2019. <https://www.diariolibre.com/actualidad/educacion/dominicanos-residentes-en-nueva-york-podran-terminar-el-bachillerato-a-distancia-AJ7964507>.

## 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: Yes

Code: 1

Explanation: While no fully fledged program was found, there is evidence of a recent trip organized by the presidency to host 10 high achieving students of Dominican descent from New York. Every year, the Consulate of the Dominican Republic in New York honors various high achieving students from its various jurisdictions. Out of the 398 that were honored in 2018, 10 were chosen at random and invited to the Dominican Republic to meet the current president Danilo Medina.

Sources: Presidencia de la República. "Presidente Danilo Medina recibe a diez estudiantes meritorios de Nueva York descendientes de padres dominicanos [President Danilo Medina Hosts 10 High Achieving Students of Dominican Heritage from New York]". Accessed July 20, 2019. <https://presidencia.gob.do/noticias/presidente-danilo-medina-recibe-diez-estudiantes-meritorios-de-nueva-york-descendientes-de>.

## 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: No

Code: 0

Explanation: No language courses for emigrants to learn the language of origin were found, neither in publications of the Ministry of Foreign Relations, nor in the websites of the main INDEX offices abroad or in those of the main consulates.

Sources: INDEX MADRID. "Instituto de dominicanos y dominicanas en el exterior – Inicio [Institute for Dominicans Abroad – Homepage]". Accessed July 19, 2019. <https://indexmadridrd.com/>. / INDEX PR. "Instituto de dominicanos y dominicanas en el exterior Puerto Rico – Inicio [Institute for Dominicans Abroad in Puerto Rico – Homepage]". Accessed July 19, 2019. <https://www.index-pr.com/>. / Ministerio de Relaciones Exteriores República Dominicana. "Publicaciones del Ministerio de Relaciones Exteriores República Dominicana [Publications of the Ministry of Foreign Affairs of the Dominican Republic]". Accessed July 10, 2019. <https://issuu.com/comunicaciondigitalmirexrd/docs>. / Consulado República Dominicana en New York. "Consulado Republica Dominicana En New York – Inicio [Dominican Consulate in New York – Homepage]". Accessed July 20, 2019. <http://www.consuladord-ny.net/>. / Consulado General de la República Dominicana en Madrid. "Consulado General de la República Dominicana en Madrid | Inicio [General Consulate of the Dominican Republic in Madrid – Homepage]". Accessed July 20, 2019. <https://consuladordmadrid.es/>.

## 2.5. Obligations

### 2.5.1. Military service

**EMIGRANT\_48. Emigrants have the obligation to comply with military service:**

Answer: No existence of military service

Code: Not applicable

Explanation: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

### **2.5.2. Social service**

#### **EMIGRANT\_49. Emigrants have the obligation to comply with social service:**

Answer: No existence of social service

Code: Not applicable

Explanation: The law does not foresee compulsory social service.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

### **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: Emigrants from the Dominican Republic that reside elsewhere and lack a business or income source in Dominican territory will not be subject to taxation. No specific taxes for emigrants were found.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269 and 270. / Dirección General de Impuestos Internos. "Leyes Tributarias [Tax Law]." Accessed July 9, 2019.  
<https://dgii.gov.do/legislacion/leyesTributarias/Paginas/leyesTributarias.aspx>.

##### **There are special taxes for emigrants:**

Answer: No

Code: 0

Explanation: No specific taxes for emigrants were found.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269 and 270.

## **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: Both the INDEX and the CONDEX, the two bodies with a specific mandate to formulate and implement plans related to the Dominican diaspora, fall under the authority of the Executive Power, with the difference being that while the INDEX is only under the jurisdiction of the Ministry of Foreign Relations, the CONDEX is a coordinating body composed of different Ministries and Agencies within the Executive Power.

Sources: Ley N° 1-08 [Law 1-08]. 2008. Art. 7. / Ley N° 630-16 [Law 630-16]. 2016. Art. 48 and 49.

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

Answer: El Instituto de Dominicanos y Dominicanas en el Exterior (INDEX)

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

Answer: Institute of Dominicans Abroad

**EMIGRANT\_52. Place in the administrative hierarchy:**

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: The INDEX depends from the office of the Ministry of Foreign Affairs.

Sources: Organigrama Ministerio de Relaciones Exteriores [Organizational Chart Ministry of Foreign Affairs]. 2017.

## **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: 148

Code: 148

Explanation: The Dominican Republic has 103 consulates abroad and 45 embassies with consular departments, spanning a total of 68 countries.

Sources: Ministerio de Relaciones Exteriores. "Embajadas en el exterior [Embassies Abroad]". Accessed July 21, 2019. <http://www.mirex.gob.do/servicios/directorio/embajadas-exterior?page=4>.

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

Answer: 68

Code: 68

Explanation: Not applicable

Sources: Ministerio de Relaciones Exteriores. "Embajadas en el exterior [Embassies Abroad]". Accessed July 21, 2019. <http://www.mirex.gob.do/servicios/directorio/embajadas-exterior?page=4>.

### **2.6.3. New consular functions**

**EMIGRANT\_54: Extensions to the consular network services.**

**Existence of mobile consulates:**

Answer: Yes

Code: 1

Explanation: Evidence of mobile consulates being organized in the United States and Spain has been found, with those in the former being conducted on a regular basis. The Dominican Consulate in New York even has a dedicated division for "consular operations". Online systems beyond appointment schedule have also been found. Some consulates have digitalized certain steps in the process to obtain services. In the case of Dominican Consulate in Madrid, citizens can apply for a passport and other services online, choosing the specific service they will need (first time issuing or renovation in the case of Passports), and entering their personal data and copies of the required documents. Finally, the Dominican Consulate in New York does work on Saturdays, unlike others like the one in Madrid.

Sources: QuisqueyaPeach. "Consulado dominicano realizará operativos móviles este mes en hazleton y reading [Dominican Consulate Carries Out Mobile Consulates in Hazleton and Reading]". Accessed July 21, 2019. <https://www.quisqueyapeach.com/consulado-dominicano-realizara-operativos-moviles-este-mes-en-hazleton-y-reading/>. / Consulado Republica Dominicana en New York. "Operativos Consulares [Consular Operations]". Accessed July 21, 2019. <http://www.consuladord-ny.net/operativo>. / Consulado General de la República Dominicana en Madrid. "Servicios en línea [Online Services]". Accessed July 21, 2019. <https://consuladordmadrid.es/serviciosenlinea/>. / Consulado República Dominicana en New York. "Consulado Republica Dominicana En New York – Inicio [Dominican Consulate in New York – Homepage]". Accessed July 20, 2019. <http://www.consuladord-ny.net/>.

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

Answer: Yes

Code: 1

Explanation: The Dominican Consulate in New York does work on Saturdays, unlike others like the one in Madrid.

Sources: QuisqueyaPeach. "Consulado dominicano realizará operativos móviles este mes en hazleton y reading [Dominican Consulate Carries Out Mobile Consulates in Hazleton and Reading]". Accessed July 21, 2019. <https://www.quisqueyapeach.com/consulado-dominicano-realizara-operativos-moviles-este-mes-en-hazleton-y-reading/>. / Consulado Republica Dominicana en New York. "Operativos Consulares [Consular Operations]". Accessed July 21, 2019. <http://www.consuladord-ny.net/operativo>. / Consulado General de la República Dominicana en Madrid. "Servicios en línea [Online Services]". Accessed July 21, 2019. <https://consuladordmadrid.es/serviciosenlinea/>. / Consulado República Dominicana en New York. "Consulado Republica Dominicana En New York – Inicio [Dominican Consulate in New York – Homepage]". Accessed July 20, 2019. <http://www.consuladord-ny.net/>.

#### **Consulates offer some services online:**

Answer: Yes

Code: 1

Explanation: Online systems beyond appointment schedule have been found. Some consulates have digitalized certain steps in the process to obtain services. In the case of Dominican Consulate in Madrid, citizens can apply for a passport and other services online, choosing the specific service they will need (first time issuing or renovation in the case of Passports), and entering their personal data and copies of the required documents. Finally, the Dominican Consulate in New York does work on Saturdays, unlike others like the one in Madrid.

Sources: QuisqueyaPeach. "Consulado dominicano realizará operativos móviles este mes en hazleton y reading [Dominican Consulate Carries Out Mobile Consulates in Hazleton and Reading]". Accessed July 21, 2019. <https://www.quisqueyapeach.com/consulado-dominicano-realizara-operativos-moviles-este-mes-en-hazleton-y-reading/>. / Consulado Republica Dominicana en New York. "Operativos Consulares [Consular Operations]". Accessed July 21, 2019. <http://www.consuladord-ny.net/operativo>. / Consulado General de la República Dominicana en Madrid. "Servicios en línea [Online Services]". Accessed July 21, 2019. <https://consuladordmadrid.es/serviciosenlinea/>. / Consulado República Dominicana en New York. "Consulado Republica Dominicana En New York – Inicio [Dominican Consulate in New York – Homepage]". Accessed July 20, 2019. <http://www.consuladord-ny.net/>.

#### **EMIGRANT\_55: Adoption of new consular functions.**

##### **Consulates offer financial consultancy:**

Answer: Yes

Code: 1

Explanation: Various programs of financial education were found.

Sources: Consulado Republica Dominicana en New York. "Ventanilla de salud [Health Desk]". Accessed July 21, 2019. <http://www.consuladord-ny.net/salud>. / INDEX MADRID. "INDEX Madrid firma acuerdo con institutos odontológicos [INDEX Madrid Signs Cooperation Agreements with Dental Institutes]". Accessed July 21, 2019. <https://indexmadridrd.com/index-madrid-firma-acuerdo/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>.



#### **Consulates offer psychological consultancy:**

Answer: No

Code: 0

Explanation: The Dominican Consulate in New York provides access to health services through partnerships with different health organizations and insurance companies that visit the consulate on a regular basis. The INDEX in Madrid has also organized a partnership with certain health care institutions, offering free dental care checkups and other discounts in various dental health centers. However, no evidence of programs providing psychological consultancy were found.

Sources: Consulado Republica Dominicana en New York. "Ventanilla de salud [Health Desk]". Accessed July 21, 2019. <http://www.consuladord-ny.net/salud/>. / INDEX MADRID. "INDEX Madrid firma acuerdo con institutos odontológicos [INDEX Madrid Signs Cooperation Agreements with Dental Institutes]". Accessed July 21, 2019. <https://indexmadridrd.com/index-madrid-firma-acuerdo/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>.

#### **Consulates offer health services:**

Answer: Yes

Code: 1

Explanation: The Dominican Consulate in New York provides access to health services through partnerships with different health organizations and insurance companies that visit the consulate on a regular basis. The INDEX in Madrid has also organized a partnership with certain health care institutions, offering free dental care checkups and other discounts in various dental health centers.

Sources: Consulado Republica Dominicana en New York. "Ventanilla de salud [Health Desk]". Accessed July 21, 2019. <http://www.consuladord-ny.net/salud/>. / INDEX MADRID. "INDEX Madrid firma acuerdo con institutos odontológicos [INDEX Madrid Signs Cooperation Agreements with Dental Institutes]". Accessed July 21, 2019. <https://indexmadridrd.com/index-madrid-firma-acuerdo/>. / Acento. "Consulado dominicano en Nueva York y Banreservas promueven el ahorro [Dominican Consulate in New York and Banreservas Promote Savings]". Accessed July 19, 2019. <https://acento.com.do/2018/sociales/8560569-consulado-dominicano-nueva-york-banreservas-promueven-ahorro/>.

### **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: Yes

Code: 1



Explanation: The foreign offices of the INDEX, while operating under the Ministry of Foreign affairs, are ultimately standalone migrant offices (as opposed to merely part of the consular network or an embassy) to serve the needs of the Dominican diaspora abroad.

Sources: Decreto N° 303-17 [Decree 303-17]. 2017. Art. 2.

### 3. Emigrant citizenship and nationality policies

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

Answer: Yes

Code: 1

Explanation: Yes, the Dominican constitution does differentiate between nationality and citizenship, with the latter being understood as the ability to exercise political rights. The 2015 constitution carefully defines which groups of people will be considered nationals, that is, Dominicans: 1) The sons and daughters of Dominicans, 2) All who possessed the Dominican Nationality before the 2015 constitution came into force, 3) Those born inside the national territory, except the sons and daughters of foreigners that are members of diplomatic delegations, of foreigners in transit or those that are illegally residing in Dominican soil, 4) Those born abroad to Dominican parents, independently of them having acquired another nationality by virtue of being born elsewhere. Once they have reached 18 years of age, they can express their desire to acquire the dual nationality or give up one of them, 5) Those who marry a Dominican, as long as they opt for the nationality of their partner and meet the requirements of the law, 6) All direct descendants of Dominicans residing abroad, 7) Naturalized persons, in conformity with the law. On the other hand, citizenship, understood as political rights, is acquired by nationals when they turn 18 or when they marry, independently of whether they have reached 18 years of age or not. The rights conferred with citizenship are the following: 1) The right to elect and be elected, 2) The right to decide via referendum, 3) The right to exercise the mechanisms of popular initiative, be it legislative or municipal, 4) Make petitions to the different public powers to ask for measures of public interest and obtain an answer from said authorities in the terms established by the law, 5) Denounce the faults committed by public officials in the fulfillment of their tasks.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18, 21 and 22.

#### 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: The 2015 constitution explicitly recognizes dual citizenship and states that acquiring another nationality will not mean a loss of the Dominican one.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 20.

**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: The 2015 constitution explicitly recognizes dual citizenship and states that acquiring another nationality will not mean a loss of the Dominican one. It establishes no further restrictions on which nationalities might be acquired.

Sources: Asamblea Nacional. 2015. Art. 20. Constitución de la República Dominicana [Constitution of the Dominican Republic].

**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: There is no loss of nationality in the case of nationals by birth for residing abroad. This does however apply to naturalized nationals, who will be subject to a loss of their acquired nationality if they were to transfer their place of residence to another country within one year of being naturalized or if they were to be absent from the national territory for more than 10 years.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

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

Answer: No

Code: 0

Explanation: This provision exists but the period is even shorter and applies only to naturalized citizens. Naturalized citizens can lose their nationality by residing abroad, either by establishing their main place of residence outside of the national territory within their first year as naturalized citizens or by leaving the country and not returning for a period of 10 years or longer.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

**Nationality can be withdrawn only if person has another citizenship:**

Answer: No

Code: 0

Explanation: Naturalized citizens can lose their nationality by residing abroad, either by establishing their main place of residence outside of the national territory within their first year as naturalized citizens or by leaving the country and not returning for a period of 10 years or longer.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

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

Answer: Yes = 0

Code: 0

Explanation: Yes. Naturalized citizens can lose their nationality by residing abroad, either by establishing their main place of residence outside of the national territory within their first year as naturalized citizens or by leaving the country and not returning for a period of 10 years or longer.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

### **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: Yes. The constitution explicitly states that nationality will be granted to: a) Those born abroad to Dominican parents, independently of them having acquired another nationality by virtue of being born elsewhere. Once they have reached 18 years of age, they can express their desire to acquire the dual nationality or give up one of them. b) All direct descendants of Dominicans residing abroad. As such, nationality can be transferred indefinitely, as long as Dominicans abroad keep exercising their right to acquire citizenship generation after generation.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

**Transfer of nationality is applicable to:**

Answer: No limit

Code: 0

Explanation: The constitution explicitly states that nationality will be granted to: a) Those born abroad to Dominican parents, independently of them having acquired another nationality by virtue of being born elsewhere. Once they have reached 18 years of age, they can express their desire to acquire the dual nationality or give up one of them. B) All direct descendants of Dominicans residing abroad. As such, nationality can be transferred indefinitely, as long as Dominicans abroad keep exercising their right to acquire citizenship generation after generation.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

### **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: No provision was found in the constitution granting nationality to the child or grandchild of a former citizen. This case is not foreseen in the groups stipulated as entitled to nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

**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 general renunciation mechanism specified in the law. The only instance in which the constitution foresees the renunciation of the Dominican Nationality is for those born abroad to Dominican parents. The law explicitly states that once they have reached 18 years of age, they can express their desire to acquire the dual nationality or give up one of them.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

**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: For cases of loss of nationality, the Constitution does not stipulate a general reacquisition mechanism. It does not specify, for example, a reacquisition mechanism for the sons and daughters of Dominican parents that decided to renounce their Dominican nationality. Furthermore, the naturalization law, which stipulates the different ways in which naturalized nationals might lose their nationality, such as the previously mentioned reason of being away from the national territory for more than 10 years, does not specify mechanisms to reacquire it. It does contain a provision on the reacquisition of nationality. However, this only refers to the case of women that had lost their Dominican nationality by marriage to a foreigner prior to the allowing of dual citizenship by Dominican law. Finally, it is important to note that there have however recently existed sui generis legal mechanisms for the reacquisition of nationality, however only in the specific cases of former nationals affected by the 168/13 ruling that were deprived of their nationality in 2013. The Constitutional Court in 2013 established that only persons born inside the national territory to a Dominican parent or to a legal resident are considered citizens, applying this judgement retroactively to all born between 1929 – 2007 and depriving hundreds of thousands of people of Haitian descent from their Dominican

nationality. The Naturalization Law 169-14, issued in 2014, established a special regularization regime for those affected by the ruling, specifically providing two paths to reacquire nationality. 1) In the case of those born in the national territory to non-resident foreign parents that had been registered, albeit irregularly, in the civil registry, they would simply be re-registered in the said registry and would as such become nationals. 2) In the case of those born in the national territory to non-resident foreign parents that hadn't been registered in the civil registry, they would have to prove their birth inside the national territory by other means established by the law, in order to be eligible for naturalization after a two year residence period. This regime, as part of another legal regime, the National Regularization Plan, was valid however only until 2015, with an extended second phase lasting until 2018.

Sources: Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 22. / IACHR: Inter-American Commission on Human Rights. "Denationalization and Statelessness in the Dominican Republic - IACHR". Accessed July 24, 2019. <http://www.oas.org/en/iachr/multimedia/2016/DominicanRepublic/dominican-republic.html>. / Country Report: Situation of Human Rights in the Dominican Republic. 2015. / Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>.

## **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: No restrictions

Code: 1

Explanation: No provisions were found in the main regulations beyond those specifying restrictions of electoral nature. No restrictions beyond those of electoral nature were found in the Constitution, which conditions the access of dual citizens to the presidency to the renunciation of their second nationality and a waiting and residence period of 10 years inside the national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. Finally, no restrictions for dual nationals were found in the public sector law, with the requirements to hold a position in the public service merely mentioning that applicants need to be Dominican and in full enjoyment of their civil and political rights.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 20. / Ley N° 41-08 [Law 41-08]. 2008.

### **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: No, there is no specific category for Dominicans living overseas, with all nationals defined by the Constitution as Dominicans regardless of their place of residence. While living overseas does carry legal consequences in the sense of a different regime of political representation for what the law refers to as Dominicans abroad, the Constitution does not define a specific nationality status that is inherently different to them.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

### 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: Dominicans can exercise their citizenship rights abroad, with the electoral law stating that they can make use of their right to vote to elect the President and Vice-president of the Republic and the representatives of the emigrant community in the Chamber of Deputies. The Constitution does establish criteria for the suspension of citizenship rights; however, they are not linked to residence abroad. They can be suspended for: Being sentenced for a criminal offense with no option to appeal, with the suspension lasting until said sentence is served, Being subject to judicial interdiction, with suspension lasting until said status lasts, Having accepted a position or fulfilling public services on behalf of a foreign government inside Dominican territory without previous authorization from the Dominican State, Infringing upon the conditions under which naturalization was granted.

Sources: Ley N° 15-19 [Law 15-19]. 2019. Art. 106 and 110. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 24.

**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

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### 4.1. General

#### 4.1.1. Number of entry tracks

##### IMMIGRATION\_1. How many visa types does the country have?

Answer: 28

Code: 28

Explanation: The Ministry of Foreign Relations lists the following visa types, with 13 types of entry and residency visas: 1. Simple Tourism Visa (TS), 2. Multiple Entry Tourism Visa (TM), 3. Simple Business Visa (NS), 4. Multiple Entry Business Visa (NM), 5. Multiple Entry Business Visa for working purposes (NM1) (Equivalent to the Temporary Worker Visa - VTT), 6. Student Visa (E), 7. Multiple Entry Dependency Visa (DPM), 8. Residency Visa (RS), 9. Simple Official Visa (OS), 10. Multiple Entry Official Visa (OM), 11. Diplomatic Visa (DM), 12. Simple Courtesy Visa (CS), 13. Multiple Entry Courtesy Visa (CM). In addition to this, the Migration Law and the General Directorate for Migration, establish the following 15 types of residence permits and two non-resident permits: 1. Temporary Residence for Scientists, Professionals, Journalists, specialized personnel, sport professionals and artists hired by state or private institutions working inside the national territory (RT-1), 2. Temporary Residence for businessmen, investors, merchants, industrialists and managerial personnel of foreign or national companies established in the national territory (RT-2), 3. Temporary Residence for high skilled technicians, artisans and workers. (RT-3) 4. Temporary Residence for religious officials, belonging to churches, orders or congregations recognized in the country that come to perform religious duties related to their order, teach or perform assistance work (RT-4), 5. Temporary Residence for political asylees (RT-5), 6. Temporary Residence for refugees (RT-6), 7. Temporary Residence for spouses and underage sons and daughters (RT-7), 8. Temporary Residence for foreigners that are exceptionally authorized to reside in the country by the General Directorate for Migration (RT-8), 9. Temporary Residence for foreigners that enter the Dominican Republic with a residency visa, the intention of establishing themselves permanently in the country and the intention of applying for a permanent residency (RT-9), 10. Permanent residence Type 1 (RP-1) for foreigners that have been admitted under the intention of establishing themselves in the national territory and that have professional qualifications, 11. Permanent residence Type 2 (RP-2) for Investors, retired people, pensioners or rentiers, 12. Permanent residence Type 3 (RP-3) for foreign relatives, meaning spouses and underage children, of Dominican nationals or of foreigners that are permanent residents. 13. Temporary Worker Permit, 14. Definitive Residency, 15. A special border resident ID is also issued to Haitians residing in the adjacent areas to the Dominican border that enter the country on a daily basis. Finally, it is important to note that in light of the interviews conducted with several consular officers and the newest information available on the websites of the DGM, the RT (1, 2 and 3) residence permits have been converted into a general RT-3 Working Purpose Visa, while the VTT Visa has been effectively replaced by the NM1. The legal sources for this information are not available in the websites of the Ministry of Foreign Affairs or the DGM and in the case of the non-use of the VTT, it is simply not publicly available information, with only the interviews as sources.

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Servicio de expedición de visas [Visa Issuing Service]". Accessed July 25, 2019. <http://www.mirex.gob.do/servicios/servicios-consulares>. / Dirección General de Migración. "Permiso para trabajadores temporeros [Temporary Workers Permit]". Accessed July 26, 2019. <https://www.migracion.gob.do/Menu/Index/32>. / Resolución N° DGM-1-2013 [Resolution DGM-1-2013]. 2013. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 81. / Ley N° 285-04 [Law 285-04]. 2004. Art. 46. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Consultation with migration officer, General Migration Directorate of the Dominican Republic. 2019. / Consultation with consular officer, Consular

Department of the Ministry of Foreign Affairs. 2019. / Consultation with consular officer, Dominican Consulate in Madrid. 2019.

## **IMMIGRATION\_2: Categorical organization of visas**

### **Are the visas organized by overarching categories?**

Answer: Yes

Code: 1

Explanation: Yes. All visas and residencies can be classified into the three categories under which foreigners are admitted into the country, which can be in turn ordered hierarchically in the order of time of stay granted. From the least time to the most time granted, these migratory categories are: 1. Non-residents -> (TS, TM, NS, NM, NM1, E, DPM, RS, OS, OM, DM, CS, CM, Border Resident ID) 2. Temporary residents -> (RT 1 – 9), 3. Permanent residents -> (RP 1 – 3).

Sources: Ley N° 285 [Law 285]. 2004. Art. 29, 33, 35 and 36.

### **How many categories?**

Answer: 3

Code: 3

Explanation: All visas and residencies can be classified into the three categories under which foreigners are admitted into the country, which can be in turn ordered hierarchically in the order of time of stay granted. From the least time to the most time granted, these migratory categories are: 1. Non-residents -> (TS, TM, NS, NM, NM1, E, DPM, RS, OS, OM, DM, CS, CM, Border Resident ID) 2. Temporary residents -> (RT 1 – 9) 3. Permanent residents -> (RP 1 – 3)

Sources: Ley N° 285 [Law 285]. 2004. Art. 29, 33, 35 and 36.

## **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: For the issuing of the National ID, for example, blood type, fingerprints and a photograph are collected.

Sources: Junta Central Electoral. "Preguntas frecuentes de cedulaación [Frequently Asked Questions About the ID Process]". Accessed July 26, 2019. <https://jce.gob.do/FAQs-Cedulacion/>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de turismo simple (TS) o turismo multiple (TM) [Requirements for the Single-Entry Tourist Visa or the Multiple Entry Tourist Visa]".

Accessed July 26, 2019. <http://www.mirex.gob.do/servicios/visa-de-turismo>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48 and 78. / Ley N° 285 [Law 285]. 2004. Art. 70 and 72.

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

Answer: Yes

Code: 1

Explanation: For the issuing of visas, a simple tourist visa (TS) for example, photographs from the immigrant applicants are required. Furthermore, in the case of residencies, temporary residencies for example, the law specifies that photographs, fingerprints and other unspecified biometric data will be collected. This is also the case for the border resident ID, that is to contain, according to the law, information to identify its bearer, such as fingerprints, among others. Finally, all foreigners under the categories of permanent, temporary residents and temporary workers must register in the Foreigner Registry, in which their photographs and fingerprints will be recorded.

Sources: Junta Central Electoral. "Preguntas frecuentes de cedulaación [Frequently Asked Questions About the ID Process]". Accessed July 26, 2019. <https://jce.gob.do/FAQs-Cedulacion>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de turismo simple (TS) o turismo multiple (TM) [Requirements for the Single-Entry Tourist Visa or the Multiple Entry Tourist Visa]". Accessed July 26, 2019. <http://www.mirex.gob.do/servicios/visa-de-turismo>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48 and 78. / Ley N° 285 [Law 285]. 2004. Art. 70 and 72.

### **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 Spätaussiedler or Jewish immigrants in Germany)?**

Answer: Yes

Code: 1

Explanation: Under conditions of reciprocity and in accordance with international treaties signed by the Dominican Republic, the normal immigration regime will not apply to diplomats, experts, technicians and administrative personnel of foreign governments and international organizations. They will be merely subject to migration control and registration. Furthermore, stateless people, refugees, or people in general that, under specific circumstances and for justifiable reasons lack all the necessary documents to be admitted into the country, can be exempted from some requirements.

Sources: Ley N° 285 [Law 285]. 2004. Art. 37, 38 and 48.

## **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 Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to obtain, carry and keep their migratory identification documents up to date, which they must show to state authorities when these require them to.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25.

**Are they required to carry them at all times?**

Answer: Yes

Code: 1

Explanation: The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to obtain, carry and keep their migratory identification documents up to date, which they must show to state authorities when these require them to.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25.

### **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 evidence has been found for a general immigration quota for 2017. The law does allow for the National Migration Council to establish quotas for the number of temporary workers allowed into the country. However, no evidence of an actual implementation of said provision has been found. To the contrary, evidence has been found of a lack of enforcement of controls regarding migrant employment.

Sources: Ley N° 285 [Law 285]. 2004. Art. 49. / El Nacional. "Empresarios RD violan cuota 80/20 empleos [Employers in RD are in Violation of the 80/20 Employment Quota]". Accessed July 26, 2019. <https://elnacional.com.do/empresarios-rd-violan-cuota-8020-empleos/>.

**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 evidence nor provisions have been found for a high-skilled migrant quota for 2017. The law only allows for a quota system in the case of temporary workers.

Sources: Ley N° 285 [Law 285]. 2004. Art. 49. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 81.

##### **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 evidence has been found for a low-skilled migrant quota for 2017. The law only allows for the National Migration Council to establish quotas for the number of temporary workers allowed into the country. However, no evidence of an actual implementation of said provision has been found. To the contrary, evidence has been found of a lack of enforcement of controls regarding migrant employment.

Sources: Ley N° 285 [Law 285]. 2004. Art. 49. / El Nacional. "Empresarios RD violan cuota 80/20 empleos [Employers in RD are in Violation of the 80/20 Employment Quota]". Accessed July 26, 2019. <https://elnacional.com.do/empresarios-rd-violan-cuota-8020-empleos/>.

**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 evidence was found of the establishment of a system of quotas for the recognition of refugees in 2017. Furthermore, the main refugee legislation does not provide any mechanisms to implement such a system, with no limitations on the number of applications for refugee status being mentioned.

Sources: Decreto N° 1569 [Decree 1569]. 1983. / Decreto N° 2330 [Decree 2330]. 1984. Art. 7.

**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: No. Neither the Migration Law, its regulation nor the Dominican Constitution establish any quota systems for immigration beyond the one for temporary workers. Furthermore, no mention of co-ethnics was found in the main regulations.

Sources: Ley N° 285 [Law 285]. 2004. Art. 49. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015.

**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: Yes, the Migration Law establishes the following categories of excluded persons: -Those that suffer from an infectious-contagious disease that, because of its gravity, can pose a threat to public health. -Those who suffer from mental health issues in all its forms, to the degree that the state of conduct is compromised, making its bearers irresponsible of their acts or susceptible to cause grave social and family-related difficulties. -Those who have chronic physical, psychic permanent limitations or a chronic disease that makes it impossible for them to exercise the profession, industry or art that they intent to take upon, in accordance with their purpose for entering the country. -Those who profit from prostitution, illegal human trafficking or of its organs, drug trafficking and also those addicted to the drugs themselves or that promote their consumption. -Those who lack a profession, industry, art or any other legal means of subsistence, or those that, as a result of a lack of work ethic, constant drunkenness or laziness, can be suspected to be unlikely candidates for social integration, or those that demonstrate any other condition that makes them suspect to become a burden to the state. - Those having been processed or serving time for common crimes that are typified by Dominican law as being of a criminal nature. -Those having criminal records, except when these do not characterize its authors as having a dangerous nature that will make them unfit for incorporation into Dominican society. For that purpose, the nature of the crimes committed, the established sentence, any instances of relapse and the fact of whether the sentences have been served or not will be taken into account. - Those who are part of any terrorist organization or association that promotes the violent destruction of the democratic regime, the suppression of the rights and institutions enshrined in the Constitution or any organization that promotes, by any means, doctrines that threaten the order and security of the State and of the citizen, as well as the Government's stability and the social order. -Those having been subject to deportation or expulsion that do not possess a reentry permit and those who have been explicitly prohibited from entering the Republic, according to orders emanating from the competent authorities.

Sources: Ley N° 285 [Law 285]. 2004. Art. 15.



**List of categories of excluded persons:**

Answer: -Those that suffer from an infectious-contagious disease that, because of its gravity, can pose a threat to public health. -Those who suffer from mental health issues in all its forms, to the degree that the state of conduct is compromised, making its bearers irresponsible of their acts or susceptible to cause grave social and family-related difficulties. -Those who have chronic physical, psychic permanent limitations or a chronic disease that makes it impossible for them to exercise the profession, industry or art that they intent to take upon, in accordance with their purpose for entering the country. -Those who profit from prostitution, illegal human trafficking or of its organs, drug trafficking and also those addicted to the drugs themselves or that promote their consumption. -Those who lack a profession, industry, art or any other legal means of subsistence, or those that, as a result of a lack of work ethic, constant drunkenness or laziness, can be suspected to be unlikely candidates for social integration, or those that demonstrate any other condition that makes them suspect to become a burden to the state. - Those having been processed or serving time for common crimes that are typified by Dominican law as being of a criminal nature. -Those having criminal records, except when these do not characterize its authors as having a dangerous nature that will make them unfit for incorporation into Dominican society. For that purpose, the nature of the crimes committed, the established sentence, any instances of relapse and the fact of whether the sentences have been served or not will be taken into account. -Those who are part of any terrorist organization or association that promotes the violent destruction of the democratic regime, the suppression of the rights and institutions enshrined in the Constitution or any organization that promotes, by any means, doctrines that threaten the order and security of the State and of the citizen, as well as the Government's stability and the social order. -Those having been subject to deportation or expulsion that do not possess a reentry permit and those who have been explicitly prohibited from entering the Republic, according to orders emanating from the competent authorities.

Code: same as answer.

Explanation: same as answer.

Sources: Ley N° 285 [Law 285]. 2004. Art. 15.

**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 list of excluded countries was found, neither in the main regulations nor on the website of the General Directorate for Migration.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 631-11 [Decree 631-11]. 2011. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Dirección General de Migración. "Dirección General de Migración [General Directorate for Migration]". Accessed July 9, 2019. <https://www.migracion.gob.do/>.

**List of countries excluded:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **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: No. No provisions in the main regulations were found explicitly regulating immigration brokers. While the law explicitly bans emigration agencies and brokers, it fails to mention any regulation related to their immigration counterparts.

Sources: Ley N° 285 [Law 285]. 2004. Art. 143. / Decreto N° 631-11 [Decree 631-11]. 2011.

**IMMIGRATION\_14. State offers pecuniary incentives to citizens willing to immigrate:**

Answer: Yes

Code: 1

Explanation: Yes. Pensioners and Rentiers are granted special benefits under the law for establishing themselves in the national territory. They are defined as either foreign or Dominican citizens that benefit from a monthly rent or a retirement pension from a government, official institution or company of foreign origin, and that have made manifest their intention of permanently residing and receiving their benefits inside the Dominican Republic. Benefits, in the form of tax exemptions, include: -Custom duty exemptions when importing their personal goods and vehicles -Tax exemptions on property transfer for the first property they acquire. -50% tax exemption on mortgages and real estate. -General tax exemption on those taxes that apply to dividends and interests, generated inside the national territory or abroad. -50% tax exemption of capital gains, as long as the rentier is the main shareholder of the company and said company is not involved in commercial or industrial activities.

Sources: Ley N° 171-07 [Law 171-07]. 2007. Art. 2.

## **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: The law specifies no criminal punishment for irregular residence, with foreigners being deported as a result of their irregular migratory status and not subject to time in prison. Deportation is furthermore specified as being an administrative act. When detention is necessary, the law makes explicit that said measure has its basis on the violation of migratory laws of administrative character, and as such, it bears to intention of punishment and those subject to it must be separated from other persons serving actual prison time as a result of criminal offenses.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 129 and 135.

**Is illegal residence considered an administrative offense?**

Answer: Yes

Code: 0

Explanation: The law specifies no criminal punishment for irregular residence, with foreigners being deported as a result of their irregular migratory status and not subject to time in prison. Deportation is furthermore specified as being an administrative act. When detention is necessary, the law makes explicit that said measure has its basis on the violation of migratory laws of administrative character, and as such, it bears to intention of punishment and those subject to it must be separated from other persons serving actual prison time as a result of criminal offenses.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 129 and 135.

#### **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: The law explicitly mentions that the General Directorate for Migration must order the deportation of foreigners if they have entered the country or obtained their residence on the basis of false declarations or documents. This also applies if it is found out that original documents were obtained illegally. Detention is not synonymous with deportation, and according to the law, it is used as a measure of last resort and does not apply to all cases of irregular migrants. As such, it is not included here as a penalty.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

### **Penalty is expulsion:**

Answer: Yes

Code: 2

Explanation: The law explicitly mentions that the General Directorate for Migration must order the deportation of foreigners if they have entered the country or obtained their residence on the basis of false declarations or documents. This also applies if it is found out that original documents were obtained illegally. Detention is not synonymous with deportation, and according to the law, it is used as a measure of last resort and does not apply to all cases of irregular migrants. As such, it is not included here as a penalty.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

### **Penalty is a fine:**

Answer: No

Code: 1

Explanation: The law explicitly mentions that the General Directorate for Migration must order the deportation of foreigners if they have entered the country or obtained their residence on the basis of false declarations or documents. This also applies if it is found out that original documents were obtained illegally. Detention is not synonymous with deportation, and according to the law, it is used as a measure of last resort and does not apply to all cases of illegal migrants. As such, it is not included here as a penalty.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

### **Penalty is detention:**

Answer: No

Code: 1

Explanation: The law explicitly mentions that the General Directorate for Migration must order the deportation of foreigners if they have entered the country or obtained their residence on the basis of false declarations or documents. This also applies if it is found out that original documents were obtained illegally. Detention is not synonymous with deportation, and according to the law, it is used as a measure of last resort and does not apply to all cases of illegal migrants. As such, it is not included here as a penalty.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

### **Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: The law explicitly mentions that the General Directorate for Migration must order the deportation of foreigners if they have entered the country or obtained their residence on the basis of false declarations or documents. This also applies if it is found out that original documents were obtained illegally. Detention is not synonymous with deportation, and according to the law, it is used as a measure of last resort and does not apply to all cases of illegal migrants. As such, it is not included here as a penalty.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

#### **IMMIGRATION\_17: Penalties for immigrants with expired documents.**

##### **Are there penalties for immigrants with expired documents?**

Answer: Yes

Code: 0

Explanation: Yes. The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to keep their migratory identification documents up to date. If foreigners decide to stay inside the national territory longer than the authorized period, they will be subject to deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25 and 121.

##### **Penalty is expulsion:**

Answer: Yes

Code: 2

Explanation: Yes. The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to keep their migratory identification documents up to date. If foreigners decide to stay inside the national territory longer than the authorized period, they will be subject to deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25 and 121.

##### **Penalty is a fine:**

Answer: No

Code: 1

Explanation: Yes. The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to keep their migratory identification documents up to date. If foreigners decide to stay inside the national territory longer than the authorized period, they will be subject to deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25 and 121.

##### **Penalty is detention:**

Answer: Yes.

Code: 1

Explanation: The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to keep their migratory identification documents up to date. If foreigners decide to stay inside the national territory longer than the authorized period, they will be subject to deportation. As a logical precedent of deportation, we register that detension is necessary. This seems supported by information from human rights organizations and by a press release from the National Direction of Migration which report that undocumented immigrants are detained in order to be processed for deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25 and 121 / Dirección General de Migración. (2021). Migración Repatria 247 indocumentados detenidos en el Este del país. <https://migracion.gob.do/migracion-repatria-247-indocumentados-detenidos-en-el-este-del-pais/> Accessed , November 16, 2021 / Human Rights Watch. (2002). "Personas Ilegales.Haitianos y Domínico-Haitianos en la República Dominicana". Accessed November 20201 [https://www.hrw.org/legacy/spanish/informes/2002/r\\_dominicana2.html](https://www.hrw.org/legacy/spanish/informes/2002/r_dominicana2.html)

#### **Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No. The Migration Law explicitly states that all foreigners authorized to stay in the country have the obligation to keep their migratory identification documents up to date. If foreigners decide to stay inside the national territory longer than the authorized period, they will be subject to deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 25 and 121.

### **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: Yes. The migration law explicitly states that all individuals that aid in the illegal organization, transport, landing or entry of foreigners into the national territory, or that hide them after entry, will be punished with the applicable criminal sanctions. The regulation of the migration law further specifies that the sanctions referred to here are those mentioned in the Law No. 344-98, meaning prison time ranging from 3 to 10 years in prison and fines ranging from RD 25000.00 (USD. 490.44) to RD\$100.000.00. (USD 1961.75).

Sources: Ley N° 285 [Law 285]. 2004. Art. 128. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 141. / Ley N° 344-98. 1998. Art. 2.

#### **Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Yes. The migration law explicitly states that all individuals that aid in the illegal organization, transport, landing or entry of foreigners into the national territory, or that hide them after entry, will be punished with the applicable criminal sanctions. The regulation of the migration law further specifies that the sanctions referred to here are those mentioned in the Law No. 344-98, meaning prison time ranging from 3 to 10 years in prison and fines ranging from RD 25000.00 (USD. 490.44) to RD\$100.000.00. (USD 1961.75).

Sources: Ley N° 285 [Law 285]. 2004. Art. 128. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 141. / Ley N° 344-98. 1998. Art. 2.

**Penalty is imprisonment:**

Answer: Yes

Code: 2

Explanation: Yes. The migration law explicitly states that all individuals that aid in the illegal organization, transport, landing or entry of foreigners into the national territory, or that hide them after entry, will be punished with the applicable criminal sanctions. The regulation of the migration law further specifies that the sanctions referred to here are those mentioned in the Law No. 344-98, meaning prison time ranging from 3 to 10 years in prison and fines ranging from RD 25000.00 (USD. 490.44) to RD\$100.000.00. (USD 1961.75).

Sources: Ley N° 285 [Law 285]. 2004. Art. 128. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 141. / Ley N° 344-98. 1998. Art. 2.

#### **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: Yes. Employers in general that give employment to a foreigner without a work permit are subject to paying for the deportation costs of said immigrant. They will also be sanctioned with fines ranging from five to ten minimum wages.

Sources: Ley N° 285 [Law 285]. 2004. Art. 104 and 132.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Yes. Employers in general that give employment to a foreigner without a work permit are subject to paying for the deportation costs of said immigrant. They will also be sanctioned with fines ranging from five to ten minimum wages.

Sources: Ley N° 285 [Law 285]. 2004. Art. 104 and 132.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: Employers in general that give employment to a foreigner without a work permit are subject to paying for the deportation costs of said immigrant. They will also be sanctioned with fines ranging from five to ten minimum wages.

Sources: Ley N° 285 [Law 285]. 2004. Art. 104 and 132.

#### **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: No

Code: 1

Explanation: While there no specific provision that establishes a penalty for renting shelter to migrants with an irregular status, the law does punish all who were to hide said migrants after entry.

Sources: Ley N° 285 [Law 285]. 2004. Art. 128.

**Penalty is a fine:**

Answer: No

Code: 1

Explanation: While there no specific provision that establishes a penalty for renting shelter to migrants with an irregular status, the law does punish all who were to hide said migrants after entry.

Sources: Ley N° 285 [Law 285]. 2004. Art. 128.

**Penalty is imprisonment:**



Answer: No

Code: 1

Explanation: While there no specific provision that establishes a penalty for renting shelter to migrants with an irregular status, the law does punish all who were to hide said migrants after entry.

Sources: Ley N° 285 [Law 285]. 2004. Art. 128.

#### **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 law explicitly establishes that international transport companies that transport foreigners without a visa or the required documentation that their migratory status entails will face fines ranging between 10 to 50 public sector minimum wages.

Sources: Ley N° 285 [Law 285]. 2004. Art. 130.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: The law explicitly establishes that international transport companies that transport foreigners without a visa or the required documentation that their migratory status entails will face fines ranging between 10 to 50 public sector minimum wages.

Sources: Ley N° 285 [Law 285]. 2004. Art. 130.

**Penalty is more than a fine:**

Answer: No

Code: 1

Explanation: The law explicitly establishes that international transport companies that transport foreigners without a visa or the required documentation that their migratory status entails will face fines ranging between 10 to 50 public sector minimum wages.

## 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: In the period analyzed (2007-2017), evidence for one exceptional amnesty program was found. No evidence was found in the main regulations for regular or permanent regularization mechanisms, case by case regularization or regularization by marriage. Amnesty Program The regularization program found was named the National Regularization Plan for Foreigners in an irregular migratory situation inside the DR (Plan Nacional de Regularización de Extranjeros en situación migratoria irregular en la República Dominicana. - PNRE) and was in force for 18 months between 2013 and 2015, with an extended second phase lasting until 2018. It consisted of two interconnected regulations that were produced as a response to the 168/13 Constitutional Court ruling, which among other consequences, deprived hundreds of thousands of people of Haitian descent from their Dominican nationality. - The first regulation, Decree No. 327-13, established the PNRE, which provided a regularization pathway for irregular migrants in general. - The second regulation, the Naturalization Law No. 169-14, would be valid only for the duration of the PNRE. It established specific regularization pathways for those born in the Dominican Republic to people in transit, and as such, deprived of their nationality by the 168/13 ruling, these being mostly people of Haitian descent. To qualify for the PNRE under Decree No. 327-13, one had to be an irregular migrant residing in a stable and pacific fashion inside the national territory before the issuing of the 2011 Migration Law Regulation. In addition to having to identify themselves via personal documents, migrants were evaluated as eligible for regularization via the following criteria: Time of residence, Ties to Dominican society, Working and socio-economic conditions, Regularization application being individual or on a family basis. In the case of the first three criteria, migrants would have to provide proof to support their cases, through types of evidence established in the law. To qualify for Regularization under Law No. 169-14, one had to be a specific type of irregular migrant, this being a person born inside the Dominican Republic to foreign, non-resident parents between 1929 - 2007 and either registered or not in the civil registry. As mentioned in EMINAT\_7, the Constitutional Court in 2013 established that only persons born inside the national territory to a Dominican parent or to a legal resident are considered citizens, applying this judgement retroactively to all born between 1929 – 2007 and depriving hundreds of thousands of people from their Dominican nationality, thus making them irregular migrants. Those affected by the ruling were provided two paths to reacquire nationality. 1) In the case of those born in the national territory to non-resident foreign parents that had been registered, albeit irregularly, in the civil registry, they would simply be re-registered in the said registry and would as such become nationals. 2) In the case of those born in the national territory to non-resident foreign parents that hadn't been registered in the civil registry, they would have to prove their birth inside the national territory by other means established by the law and subsequently access regularization through the PNRE procedure established by Decree No. 327-13, in order to be eligible for naturalization after a two year residence period. Regularization by marriage Regularization by marriage is not possible, since a residency requirement is always present in the law. According to the Naturalization law, a person married to a Dominican that chooses to naturalize needs to have resided for at least 6 months inside the national territory. Similarly, in the cases of the spouses of naturalized Dominicans, they are required to reside in the country at the moment of applying for naturalization.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE

[RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

**The amnesty program is/was:**

Answer: Exceptional (once in the timeframe analyzed)

Code: 1

Explanation: In the period analyzed (2007-2017), evidence for only one exceptional amnesty program was found. The National Regularization Plan for Foreigners in an irregular migratory situation inside the DR (Plan Nacional de Regularización de Extranjeros en situación migratoria irregular en la República Dominicana. - PNRE) was in force for 18 months between 2013 and 2015, with an extended second phase lasting until 2018. It consisted of two interconnected regulations that were produced as a response to the 168/13 Constitutional Court ruling, which among other consequences, deprived hundreds of thousands of people of Haitian descent from their Dominican nationality.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

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

Answer: Yes

Code: 1

Explanation: To qualify for the PNRE under Decree No. 327-13, one had to be an irregular migrant residing in a stable and pacific fashion inside the national territory before the issuing of the 2011 Migration Law Regulation. In addition to having to identify themselves via personal documents, migrants were evaluated as eligible for regularization via the following criteria: Time of residence, Ties to Dominican society, Working and socio-economic conditions, Regularization application being individual or on a family basis. In the case of the first three criteria, migrants would have to provide proof to support their cases, through types of evidence established in the law.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

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

Answer: Yes

Code: 1

Explanation: To qualify for the PNRE under Decree No. 327-13, one had to be an irregular migrant residing in a stable and pacific fashion inside the national territory before the issuing of the 2011 Migration Law Regulation. In addition to having to identify themselves via personal documents, migrants were evaluated as eligible for regularization via the following criteria: Time of residence, Ties to Dominican society, Working and socio-economic conditions, Regularization application being individual or on a family basis. In the case of the first three criteria, migrants would have to provide proof to support their cases, through types of evidence established in the law.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

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

Answer: No

Code: 0

Explanation: To qualify for the PNRE under Decree No. 327-13, one had to be an irregular migrant residing in a stable and pacific fashion inside the national territory before the issuing of the 2011 Migration Law Regulation. In addition to having to identify themselves via personal documents, migrants were evaluated as eligible for regularization via the following criteria: Time of residence, Ties to Dominican society, Working and socio-economic conditions, Regularization application being individual or on a family basis. In the case of the first three criteria, migrants would have to provide proof to support their cases, through types of evidence established in the law. To qualify for Regularization under Law No. 169-14, one had to be a specific type of irregular migrant, this being a person born inside the Dominican Republic to foreign, non-resident parents between 1929 - 2007 and either registered or not in the civil registry.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

**Does a case by case regularization for irregular immigrants existed?**

Answer: No

Code: 0

Explanation: In the period analyzed (2007-2017), evidence for only one exceptional amnesty program was found. No evidence was found in the main regulations for regular or permanent regularization mechanisms, case by case regularization or regularization by marriage.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is regularization through marriage possible:**

Answer: No

Code: 0

Explanation: In the period analyzed (2007-2017), evidence for only one exceptional amnesty program was found. No evidence was found in the main regulations for regular or permanent regularization mechanisms, case by case regularization or regularization by marriage.

Sources: Sentencia TC/0168/13 [Sentence TC/0168/13.]. 2013. / Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2, 14, 16, 17 and 23. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1, 2, 7, 8 and 11. / Ley N° 1683 [Law 1683]. 1948. Art. 1 and 3.

**IMMIGRATION\_23. The amnesty defines the types of irregular migrants as:**

Answer: - Entered the Dominican Republic in an irregular fashion, in violation of the norms established by the migratory laws and regulations of the Dominican Republic, and remained inside the national territory under the terms and conditions established by the PNRE (meaning all other conditions established in decree No. 327-13, e.g. residing in a pacific fashion), - Entered the Dominican Republic in accordance with the migratory requirements established by the laws and regulations, and that its irregular situations stem from: a) Having exceeded the period for which they were authorized to stay inside the national territory, under the terms and conditions established by the PNRE. b) Having breached the conditions that gave origin to their regular admission or their residence inside the national territory, under the terms and conditions established by the PNRE. Regularization under the Law No. 169-14 defined the irregular migrants it covered as either: a) Sons of foreign non-resident fathers and mothers that were born in the national territory between the 16th of June of 1929 and the 18th of April 2007 and registered in the Dominican Civil Registry on the basis of documents not recognized by the current law at the moment of inscription. b) Sons of foreign parents in an irregular

situation that were born in the Dominican Republic and were not registered in the Dominican Civil Registry.

Code: same as answer.

Explanation: same as answer.

Sources: Decreto N° 327-13 [Decree 327-13]. 2013. Art. 2 and 8. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1.

## **4.7. Administration**

**IMMIGRATION\_24\_1: Administration in charge of immigration regulation.**

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

Answer: Consejo Nacional de Migración

Code: Consejo Nacional de Migración

Explanation: The institution in charge of formulating immigration regulation is, as stated in GENERAL\_2, the National Migration Council, a coordinating and advisory body to the state, composed of all state institutions responsible for the application of the national migration policy and as such, covering all dimensions of migration policy. It is found at the national level and at the highest level of the administrative state hierarchy, as its members are ministers (formerly state secretaries) of the Executive and commission presidents of the Legislative. As such, it is not attached to any specific state branch, and the law merely states that it will serve the state in general. It has the specific mandate to design national migration policy and to plan its specific programs in coordination with all responsible state authorities.

Sources: Ley N° 285 [Law 285]. 2004. Art. 7-9.

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

Answer: National Migration Council

**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: Consejo Nacional de Migración

Code: Consejo Nacional de Migración

Explanation: The institution in charge of formulating immigration regulation is the National Migration Council, a coordinating and advisory body to the state, composed of all state institutions responsible for the application of the national migration policy and as such, covering all dimensions of migration policy. It is found at the national level and at the highest level of the administrative state hierarchy, as its members are ministers (formerly state secretaries) of the Executive and commission presidents of the Legislative. As such, it is not attached to any specific state branch, and the law merely states that

it will serve the state in general. It has the specific mandate to design national migration policy and to plan its specific programs in coordination with all responsible state authorities.

Sources: Ley N° 285 [Law 285]. 2004. Art. 7-9.

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

Answer: National Migration Council

**IMMIGRATION\_24\_3: Administration in charge of border control.**

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

Answer: Dirección General de Migración

Code: Dirección General de Migración

Explanation: The General Directorate for Migration is in charge of border control, being specifically tasked with: Controlling the exit and entry of passengers into the national territory, Managing the entry and exit registry of passengers, Enable official entry and exit points with previous authorization from the executive, Denying admission.

The Directorate can request the aid of police and military authorities to support their control tasks regarding the exit, entry and stay of individuals when its own military and police personnel is not sufficient.

Sources: Ley N° 285 [Law 285]. 2004. Art. 6.

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

Answer: General Directorate for Migration

**IMMIGRATION\_24\_4: Administration in charge of detentions.**

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

Answer: Dirección General de Migración

Code: Dirección General de Migración

Explanation: The General Directorate for Migration is in charge of detentions. Detention itself is defined by the migration law as the deprivation of freedom and custody of foreigners by the migration authority, making the Directorate the main executor of said provision. As such, the directorate has the faculty to issue detention orders. Furthermore, and as part of the Ministry of the Interior, the Directorate has its own police and military personnel, and can request further support of both police and military if needed.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134 and 135. / Ley N° 285 [Law 285]. 2004. Art. 6.

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

Answer: General Directorate for Migration

#### **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: 0

##### **4.8.1. Domestic workers**

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

Answer: No

Code: 0

Explanation: Domestic workers cannot access any specific track to legally enter the Dominican Republic for working purposes. This is because of the nature of the entry visa for working purposes (NM1), which requires, in all cases, a contract with a private company, a public institution or an international organization. Furthermore, two consulates were consulted on the subject, with the first one in Frankfurt confirming the institutional contract requirement and explaining that it would be extremely difficult for a domestic worker to enter the country in general, and the consulate officer in Berlin telling me that there is simply no visa for domestic workers when asked about other possibilities aside from the NM1 pathway.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019.



**IMMIGRATION\_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_30: Restrictions based on age.**

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_33. Do migrant domestic workers need to prove the ability to support themselves?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_36. How long is the domestic work permit valid for? Indicate the period in months.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_37. Is it possible to renew the work permit granted under the domestic worker entry track?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_38: Possibility of changing jobs.**

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_41. Is a minimum level of education required to apply to the domestic entry track?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_42. Is a test of good health required for migrant domestic worker?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.8.2. Agricultural workers**

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

Answer: Yes

Code: 1

Explanation: The visa applied to Medical Doctors and Agricultural Workers is the RT-3, or Temporal Work Residency, defined by the General Directorate for Migration (DGM) as a one-year residence permit handed to applicants with the exclusive intention of remaining in the national territory for working purposes. This visa entry path is in fact a two-step process which consists on obtaining two different permits, the NM1 or Multiple Entry Business Visa for working purposes, which serves as the entry visa, and the actual RT-3 residence permit, which, as specified by the Ministry of Foreign Affairs, must be requested to the DGM in person no later than 30 days after their entry into the country. The Ministry of Foreign relations defines the NM1 visa as being granted to those who, as a result of the nature of their current occupation, must remain in the country for a year. It furthermore specifies that it is generally granted to those who have contracts for a specific period in public or private enterprises established in the country. They can be renewed as long as the contract of the applicant is in place. Both the NM1 entry visa and the RT-3 permit establish no specific limitations to the type of profession to be exercised, with the requirements merely specifying that the applicant must submit a letter to the consul that is certified by the company or institution for which he or she will be working. As confirmed by several Dominican consulates, this is because to be eligible for the NM1 in all cases, a contract with a private company, a public institution or an international organization is required. As such, the NM1 and RT-3 Permits apply to professionals and workers in general and as such, to Medical and Agricultural Workers, as long as they have a contract with a legal entity.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019.

<http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019.

**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: Yes

Code: 0

Explanation: Yes. The requirements for the NM1 visa for working in private and public institutions include the presentation by the applicant of a legal guarantee made by the institution responsible for him or her in the Dominican Republic. In the case of private institutions, said guarantee must include the following clause which establishes a legal responsibility of the institution over the migrant: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted. I will be morally and legally responsible for his or her return to his or her country of origin, assuming the responsibility to pay, on behalf of the Dominican Government, for any costs that the mentioned individual may present during his or her stay in the country, or that originate as a consequence of his or her repatriation or deportation." In the case of public institutions, multinational companies and institutions operating in duty free zones, the first paragraph is modified as follows: "I guarantee that (name, nationality and passport) will not remain in the Dominican Republic for a longer period than the one granted by the General Directorate for Migration, nor apply for a residency or a change of migratory status inside the Dominican Territory, dedicating him or herself exclusively to the activity for which his or her visa was granted." Finally, the Ministry of Foreign affairs can also interview the sponsor if considered necessary.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**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: Yes. To obtain the NM1 entry visa, a job proposal, detailing the specific position, salary and other benefits must be registered in the Ministry of Labor. Furthermore, both the DGM and the Regulation of the Migration Law specify that, to obtain the RT-3, the applicant must present the contract to the DGM upon arrival.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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: Yes

Code: 0.5

Explanation: Yes. Among the requirements of the NM1 in the case of private companies, the institution must be registered in the Integrated System of Worker Registration (SIRLA) and fulfill the conditions established in art.135. of the Labor Law, namely that at least 80% of the works of a company in the Dominican Republic must be Dominican nationals.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 135.

**IMMIGRATION\_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No restrictions on nationality were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**IMMIGRATION\_47: Restrictions based on age.**

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

Answer: No

Code: 1

Explanation: No restrictions based on age limits were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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: No restrictions based on gender were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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: No provisions requiring a specific marital status were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**IMMIGRATION\_50. Do migrant agricultural workers need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes. Among the requirements for the NM1 visa, documents demonstrating the financial solvency of the applicant must be provided, such as bank letters concerning the applicant's savings and current account, as well as his or her bank certificates.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**IMMIGRATION\_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?**



Answer: Neither beneficial, nor required

Code: 1

Explanation: No provisions mentioning knowledge of the local language as beneficial or required were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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: 385.56

Code: 385.56

Explanation: Yes. Both the NM1 Visa and the subsequent RT-3 permit require fees to be paired. While neither the Ministry of Foreign Affairs nor the Visa Law specify the prices of visas, they are posted by certain consular offices, with the one inside the Dominican Embassy in Berlin setting a general cost of 90 euros (USD 100,74) for all visa applications. In addition to this, the RT-3 permit requires the following fees to be paid: - Initial deposit (RD 10,000) - Medical Exam for Adults (RD 4,500) - There are several other costs for failure to meet specific deadlines This makes a total of RD 14,500 or around USD 284.82 for the RT-3 permit, which added to the cost of the NM1, establishes that the minimum payments applicants under this track will have to make is one of USD 385.56.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Ley N° 875 [Law 875]. 1978. / Botschaft der Dominikanischen Republik Deutschland. "KONSULARISCHES [Consular Affairs]". Accessed August 7, 2019. <https://www.dr-botschaft.de/konsularisches/>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**IMMIGRATION\_53. How long is the work permit valid for? Indicate the period in months.**

Answer: 12

Code: 12

Explanation: Both the NM1 visa and the RT-3 are valid for a year, in accordance with the Dominican Migration Law, that explicitly establishes that temporary residents will be allowed to remain in Dominican territory on a yearly basis, renewable for as long as the activity for which the permit was granted lasts.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración.

"Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 39.

**IMMIGRATION\_54. Is it possible to renew the work permit granted under the agricultural worker entry track?**

Answer: Yes

Code: 1

Explanation: Yes. The RT-3 is valid for a year and can be renewed according to both the Ministry of Foreign Relations and the DGM, in accordance with the Dominican Migration Law, that explicitly establishes that temporary residents will be allowed to remain in Dominican territory on a yearly basis, renewable for as long as the activity for which the permit was granted lasts.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 39.

**IMMIGRATION\_55: Possibility of changing jobs.**

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

Answer: No

Code: 0

Explanation: No. The granting of the NM1 visa is specifically tied to the exercise of the occupation specified in the application, that must be registered in the Ministry of Labor. This is also a requirement for the issuing of the RT-3. While the Migration law does not explicitly classify a change in employers or sector as a ground for withdrawal of temporary residency, changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted." An interview with the consular section of the Dominican Embassy in Berlin also confirmed that the NM1 and the RT-3 are tied to the specific job offered registered during the application. If another job is found, then another visa must be applied for. As such, neither employers nor sectors can be changed under this track. With regards to mobility, no restrictions were found in the main regulation, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

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

Answer: No

Code: 0

Explanation: The granting of the NM1 visa is specifically tied to the exercise of the occupation specified in the application, that must be registered in the Ministry of Labor. This is also a requirement for the issuing of the RT-3. While the Migration law does not explicitly classify a change in employers or sector as a ground for withdrawal of temporary residency, changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted." An interview with the consular section of the Dominican Embassy in Berlin also confirmed that the NM1 and the RT-3 are tied to the specific job offered registered during the application. If another job is found, then another visa must be applied for. As such, neither employers nor sectors can be changed under this track.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

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

Answer: Yes

Code: 1

Explanation: With regards to mobility, no restrictions were found in the main regulation, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory. However, changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted." An interview with the consular section of the Dominican Embassy in Berlin also confirmed that the NM1 and the RT-3 are tied to the specific job offered registered during the application. If another job is found, then another visa must be applied for.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation two with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

**IMMIGRATION\_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?**

Answer: Yes, unspecified

Code: 6

Explanation: Yes. While there is no specific provision to withdraw status for a lack of employment, an interview with the consulate made clear that if the job under which the NM1 – RT3 was granted ceased to exist, said person would have to apply for a new visa. Furthermore, the law does make clear that if a foreigner becomes a burden for the state, then said person can be deported regardless of migratory status. The guarantee that employers need to sign under NM1 is there to furthermore make the sponsor the bearer of any costs that result from the deportation of said person.

Sources: Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Ley N° 285 [Law 285]. 2004. Art. 122. / Ministerio de Relaciones Exteriores. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**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: Yes. Both the Migration Law and its regulation make explicit that foreigners with a work permit are subject to the protections established by the national labor legislation and that of the valid international treaties. Furthermore, the Regulation of the Migration Law tasks the Ministry of Labor with ensuring that migrant workers are subject to the same conditions as nationals in regard to rights, in accordance with the provision establishing a general equality of rights and obligations between foreigners and nationals found in the Constitution.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 35. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25.

**IMMIGRATION\_58. Is a minimum level of education required to apply to the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: No. No provisions requiring a minimum level of education were found, neither in the requirements for the NM1 established by the Ministry of Foreign Affairs nor the RT-3 requirements established by the DGN.

Sources: Ministerio de Relaciones Exteriores. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. “Solicitud de residencia temporal [Temporary Residence Application]”. Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**IMMIGRATION\_59. Is a test of good health required for migrant agricultural workers?**

Answer: Yes

Code: 0

Explanation: Yes. Both the DGM and regulation of the Migration Law establish a health test from an institution authorized by DGM as a requirement to obtain the temporary residency.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

### 4.8.3. Medical doctors

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

Answer: Yes

Code: 1

Explanation: The visa applied to Medical Doctors and Agricultural Workers is the RT-3, or Temporal Work Residency, defined by the General Directorate for Migration (DGM) as a one-year residence permit handed to applicants with the exclusive intention of remaining in the national territory for working purposes. This visa entry path is in fact a two-step process which consists on obtaining two different permits, the NM1 or Multiple Entry Business Visa for working purposes, which serves as the entry visa, and the actual RT-3 residence permit, which, as specified by the Ministry of Foreign Affairs, must be requested to the DGM in person no later than 30 days after their entry into the country. The Ministry of Foreign relations defines the NM1 visa as being granted to those who, as a result of the nature of their current occupation, must remain in the country for a year. It furthermore specifies that it is generally granted to those who have contracts for a specific period in public or private enterprises established in the country. They can be renewed as long as the contract of the applicant is in place. Both the NM1 entry visa and the RT-3 permit establish no specific limitations to the type of profession to be exercised, with the requirements merely specifying that the applicant must submit a letter to the consul that is certified by the company or institution for which he or she will be working. As confirmed by several Dominican consulates, this is because to be eligible for the NM1 in all cases, a contract with a private company, a public institution or an international organization is required. As such, the NM1 and RT-3 Permits apply to professionals and workers in general and as such, to Medical and Agricultural Workers, as long as they have a contract with a legal entity.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019.

**IMMIGRATION\_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?**

Answer: Yes

Code: 0

Explanation: Yes. The requirements for the NM1 visa for working in private and public institutions include the presentation by the applicant of a legal guarantee made by the institution responsible for

him or her in the Dominican Republic. In the case of private institutions, said guarantee must include the following clause which establishes a legal responsibility of the institution over the migrant: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted. I will be morally and legally responsible for his or her return to his or her country of origin, assuming the responsibility to pay, on behalf of the Dominican Government, for any costs that the mentioned individual may present during his or her stay in the country, or that originate as a consequence of his or her repatriation or deportation." In the case of public institutions, multinational companies and institutions operating in duty free zones, the first paragraph is modified as follows: "I guarantee that (name, nationality and passport) will not remain in the Dominican Republic for a longer period than the one granted by the General Directorate for Migration, nor apply for a residency or a change of migratory status inside the Dominican Territory, dedicating him or herself exclusively to the activity for which his or her visa was granted." Finally, the Ministry of Foreign affairs can also interview the sponsor if considered necessary.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**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: Yes. To obtain the NM1 entry visa, a job proposal, detailing the specific position, salary and other benefits must be registered in the Ministry of Labor. Furthermore, both the DGM and the Regulation of the Migration Law specify that, to obtain the RT-3, the applicant must present the contract to the DGM upon arrival.

Sources: Ministerio de Relaciones Exteriores. 2019. "Requisitos de Visa de Negocios Multiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]." Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. 2019. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 631-11 [Law 631-11]. 2011. Art. 48.

**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: Yes

Code: 0.5

Explanation: Yes. Among the requirements of the NM1 in the case of private companies, the institution must be registered in the Integrated System of Worker Registration (SIRLA) and fulfill the conditions established in art.135. of the Labor Law, namely that at least 80% of the works of a company in the Dominican Republic must be Dominican nationals.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 135.



**IMMIGRATION\_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No restrictions on nationality were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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 restrictions based on age limits were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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 country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No restrictions based on gender were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**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: No provisions requiring a specific marital status were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.

**IMMIGRATION\_67. Do migrant medical doctors need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes. Among the requirements for the NM1 visa, documents demonstrating the financial solvency of the applicant must be provided, such as bank letters concerning the applicant's savings and current account, as well as his or her bank certificates.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**IMMIGRATION\_68. Is knowledge of the host country'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: No provisions mentioning knowledge of the local language as beneficial or required were found, neither in the requirements for the NM1 nor in the requirements for the RT-3.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48.



**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: 385.56

Code: 385.56

Explanation: Yes. Both the NM1 Visa and the subsequent RT-3 permit require fees to be paired. While neither the Ministry of Foreign Affairs nor the Visa Law specify the prices of visas, they are posted by certain consular offices, with the one inside the Dominican Embassy in Berlin setting a general cost of 90 euros (USD 100,74) for all visa applications. In addition to this, the RT-3 permit requires the following fees to be paid: - Initial deposit (RD 10,000) -Medical Exam for Adults (RD 4,500) - There are several other costs for failure to meet specific deadlines This makes a total of RD 14,500 or around USD 284.82 for the RT-3 permit, which added to the cost of the NM1, establishes that the minimum payments applicants under this track will have to make is one of USD 385.56.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Ley N° 875 [Law 875]. 1978. / Botschaft der Dominikanischen Republik Deutschland."KONSULARISCHES [Consular Affairs]". Accessed August 7, 2019. <https://www.dr-botschaft.de/konsularisches/>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**IMMIGRATION\_70. How long is the medical doctor work permit valid for? Indicate the period in months.**

Answer: 12

Code: 12

Explanation: Both the NM1 visa and the RT-3 are valid for a year, in accordance with the Dominican Migration Law, that explicitly establishes that temporary residents will be allowed to remain in Dominican territory on a yearly basis, renewable for as long as the activity for which the permit was granted lasts.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 39.

**IMMIGRATION\_71. Is it possible to renew the work permit granted under the medical doctor entry track?**

Answer: Yes

Code: 1

Explanation: Yes. The RT-3 is valid for a year and can be renewed according to both the Ministry of Foreign Relations and the DGM, in accordance with the Dominican Migration Law, that explicitly

establishes that temporary residents will be allowed to remain in Dominican territory on a yearly basis, renewable for as long as the activity for which the permit was granted lasts.

Sources: Ministerio de Relaciones Exteriores. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. “Solicitud de residencia temporal [Temporary Residence Application]”. Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 39.

## **IMMIGRATION\_72: Possibility of changing jobs.**

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

Answer: No

Code: 0

Explanation: No. The granting of the NM1 visa is specifically tied to the exercise of the occupation specified in the application, that must be registered in the Ministry of Labor. This is also a requirement for the issuing of the RT-3. While the Migration law does not explicitly classify a change in employers or sector as a ground for withdrawal of temporary residency, changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: “I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted.” An interview with the consular section of the Dominican Embassy in Berlin also confirmed that the NM1 and the RT-3 are tied to the specific job offered registered during the application. If another job is found, then another visa must be applied for. As such, neither employers nor sectors can be changed under this track. With regards to mobility, no restrictions were found in the main regulation, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Ministerio de Relaciones Exteriores. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. “Solicitud de residencia temporal [Temporary Residence Application]”. Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

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

Answer: No

Code: 0

Explanation: The granting of the NM1 visa is specifically tied to the exercise of the occupation specified in the application, that must be registered in the Ministry of Labor. This is also a requirement for the issuing of the RT-3. While the Migration law does not explicitly classify a change in employers or sector as a ground for withdrawal of temporary residency, changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: “I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted.” An interview with the consular section of the Dominican Embassy in Berlin also confirmed that the NM1 and the RT-3 are tied to the specific job offered registered during the

application. If another job is found, then another visa must be applied for. As such, neither employers nor sectors can be changed under this track.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

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

Answer: Yes

Code: 1

Explanation: With regard to mobility, no restrictions were found in the main regulation, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 41 and 42. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 46.

### **IMMIGRATION\_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?**

Answer: Yes, unspecified

Code: 6

Explanation: Yes. While there is no specific provision to withdraw status for a lack of employment, an interview with the consulate made clear that if the job under which the NM1 – RT3 was granted ceased to exist, said person would have to apply for a new visa. Furthermore, the law does make clear that if a foreigner becomes a burden for the state, then said person can be deported regardless of migratory status. The guarantee that employers need to sign under NM1 is there to furthermore make the sponsor the bearer of any costs that result from the deportation of said person.

Sources: Second consultation with consular officer, Dominican Embassy in Berlin. 2019. / Ley N° 285 [Law 285]. 2004. Art. 122. / Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

### **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: Yes. Both the Migration Law and its regulation make explicit that foreigners with a work permit are subject to the protections established by the national labor legislation and that of the valid international treaties. Furthermore, the Regulation of the Migration Law tasks the Ministry of Labor with ensuring that migrant workers are subject to the same conditions as nationals in regard to rights, in accordance with the provision establishing a general equality of rights and obligations between foreigners and nationals found in the Constitution.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 35. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25.

**IMMIGRATION\_75. Is a minimum level of education required to apply to the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No. No provisions requiring a minimum level of education were found, neither in the requirements for the NM1 established by the Ministry of Foreign Affairs nor the RT-3 requirements established by the DGN.

Sources: Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**IMMIGRATION\_76. Is a test of good health required for migrant medical doctors?**

Answer: Yes

Code: 1

Explanation: Both the DGM and regulation of the Migration Law establish a health test from an institution authorized by DGM as a requirement to obtain the temporary residency.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

## **4.9. Proxy: Refugees**

### **4.9.1. Existence of track**

**IMMIGRATION\_77. Does the country grant refugee status?**

Answer: Yes

Code: 1

Explanation: Yes. Dominican law establishes an application procedure for refugee status, with all persons in the following situations recognized as refugees under the law: Any individual that, as a result of justified fears of being persecuted on the grounds of race, religion, nationality, political opinions or belonging to a specific social group, finds itself outside of his country of nationality and cannot or, as a result of the mentioned fears, is not willing to place him or herself under the protection of his or her own country; Or, that lacking a nationality, and finding him or herself, as a result of said lack, outside of his or her country of habitual residence, can't or won't, as a result of the mentioned fears, go back to said country.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 6 and 7.

**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: No provision in the main regulations regarding refugees were found that established any safe third countries. Furthermore, no evidence of such a decision being taken was found on the news reports of the Ministry of Foreign Affairs, the Ministry that chairs the main national organ responsible for asylum applications, the National Refugee Commission (NRC).

Sources: Decreto N° 1569 [Decree 1569]. 1983. Art. 1 and 2. / Decreto N° 2330 [Decree 2330]. 1984.

**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: No provision in the main regulations regarding refugees were found that established any safe countries of origin. Furthermore, no evidence of such a decision being taken was found on the news reports of the Ministry of Foreign Affairs, the Ministry that chairs the main national organ responsible for asylum applications, the National Refugee Commission (NRC).

Sources: Decreto N° 1569 [Decree 1569]. 1983. Art. 1 and 2. / Decreto N° 2330 [Decree 2330]. 1984.

**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: No provisions were found that restrict the asylum procedures to specific nationalities. The provision that defines the types of recognized refugees refers to them in general terms, as persons, and applies to cases of both people with and without nationality.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 6.

**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 country?**

Answer: No

Code: 1

Explanation: The sons and daughters of asylum applicants that have been granted refugee status will automatically receive the same status only if they are under 18 years old.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 19.

**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: No such provision

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 19.

**Below which age?**

Answer: not applicable

Code: 98

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 provisions were found that restrict the asylum procedures to a specific gender. The provision that defines the types of recognized refugees refers to them in general terms, as persons, without making any reference to gender.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 6.

**IMMIGRATION\_83. Is having a certain marital status a requisite to be granted refugee status?**

Answer: No

Code: 0

Explanation: No provision requiring applicants to have a specific marital status was found, neither in the provision establishing the formal application procedure and its requirements nor the one defining the characteristics of recognized refugees.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 6 and 7.

### 4.9.3. Place of application

#### IMMIGRATION\_84: Place of application

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

Answer: No

Code: 0

Explanation: The law specifies that the application must be presented to the authorities of the General Directorate for Migration, either at the borders, ports of entry, airports or directly in Santo Domingo, the capital of the Dominican Republic. This essentially restricts the locations for application to the national territory and its borders, providing no possibility of applying from outside the destination country's territory.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 7.

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

Answer: Yes

Code: 1

Explanation: The law specifies that the application must be presented to the authorities of the General Directorate for Migration, either at the borders, ports of entry, airports or directly in Santo Domingo, the capital of the Dominican Republic. This essentially restricts the locations for application to the national territory and its borders, providing no possibility of applying from outside the destination country's territory.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 7.

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

Answer: Yes

Code: 1

Explanation: The law specifies that the application must be presented to the authorities of the General Directorate for Migration, either at the borders, ports of entry, airports or directly in Santo Domingo, the capital of the Dominican Republic. This essentially restricts the locations for application to the national territory and its borders, providing no possibility of applying from outside the destination country's territory.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 7.

### 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: As specified in the Migration Law, refugees are considered temporary residents. As such, they are granted a Refugee ID that is valid for a year and renewable by approval of the General Migration Directorate and the National Refugee Commission

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 2330 [Decree 2330]. 1984. Art. 18.

#### **IMMIGRATION\_86: Permit renewal.**

##### **Is it possible to renew a temporary residence permit?**

Answer: Yes

Code: 1

Explanation: It is possible to both renew the residence permit and to apply for a permanent residency after 5 years. As specified in the Migration Law, refugees are considered temporary residents. As such, they are granted a Refugee ID that is valid for a year and renewable by approval of the General Migration Directorate and the National Refugee Commission. The law does not establish a maximum of times this permit can be renewed. As temporary residents, they are furthermore entitled to apply for permanent residency after residing in the country for 5 years with their yearly renewable residency permit. According to the DGM, said application must be submitted 30 days before those 5 years are officially reached.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 2330 [Decree 2330]. 1984. Art. 18.

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

Answer: Yes, possible to apply for a permanent permit after 5-6 years

Code: 3

Explanation: It is possible to both renew the residence permit and to apply for a permanent residency after 5 years. As specified in the Migration Law, refugees are considered temporary residents. As such, they are granted a Refugee ID that is valid for a year and renewable by approval of the General Migration Directorate and the National Refugee Commission. The law does not establish a maximum of times this permit can be renewed. As temporary residents, they are furthermore entitled to apply for permanent residency after residing in the country for 5 years with their yearly renewable residency permit. According to the DGM, said application must be submitted 30 days before those 5 years are officially reached.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 2330 [Decree 2330]. 1984. Art. 18.

#### **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: Yes. The law explicitly states that refugee status will be withdrawn if the circumstances on the basis of which a person was recognized as such disappear. If this is the case, such person cannot continue to refuse to place itself under his or her state's protection.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 11.

#### **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: Yes

Code: 1

Explanation: Yes. By law, the National Refugee Commission (CONARE) must dictate a resolution determining the applicant's status in a maximum of 30 days.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 10.

**What is the maximum of days?**

Answer: 30

Code: 30

Explanation: Yes. By law, the National Refugee Commission (CONARE) must dictate a resolution determining the applicant's status in a maximum of 30 days.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 10.

#### **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: Yes. Once the resolution of the CONARE has been notified, applicants have seven days to appeal said decision before the CONARE itself. This can be done either by the applicant personally or by the United Nations High Commissioner for Refugees.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 15.

#### **IMMIGRATION\_90. Is it possible for recognized refugees to change their migratory status?**

Answer: Yes

Code: 1

Explanation: Yes. As temporary residents, they are entitled to change their migratory status, either to any of the subcategories established in section VI of the Migration Law or to the category of permanent resident.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35 and 61.

### **4.9.7. Detention**

#### **IMMIGRATION\_91: Detention**

##### **Are asylum seekers detained while their claims are being processed?**

Answer: No

Code: 4

Explanation: Asylum seekers cannot be detained for administrative migratory violations. The Regulation of the Migration Law establishes detention as a last resource of the migration authority, only to be used in cases in which the other resources of said regulation are deemed insufficient. It furthermore specifies that detention will never be used in the case of minors, pregnant or lactating women, senior citizens or asylum applicants.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

##### **Are asylum seekers detained after their claims are processed?**

Answer: No

Code: 2

Explanation: Asylum seekers cannot be detained for administrative migratory violations. The Regulation of the Migration Law establishes detention as a last resource of the migration authority, only to be used in cases in which the other resources of said regulation are deemed insufficient. It furthermore specifies that detention will never be used in the case of minors, pregnant or lactating women, senior citizens or asylum applicants.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 134.

### **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: The law does not explicitly address neither the status nor the documentation associated with rejected asylum applicants. ACNUR also does not specify this, limiting itself to noting that said decision can be appealed. Seeing that asylum applicants are only granted a renewable temporary permit that lasts 60 days and is valid until their status as refugees is accepted or rejected, one can assume their permit is thus simply cancelled/withdrawn. This is an option foreseen by the Migration Law, which stipulates that when the someone's stay (permanencia) has been cancelled, the DGM will issue them a deadline to leave the country, which if not met, will result in deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 2330 [Decree 2330]. 1984. Art. 9.

#### **IMMIGRATION\_93. Do asylum seekers have the possibility to work during the process of application?**

Answer: No

Code: 0

Explanation: No. The main regulation regarding refugees only grants the right to work to recognized refugees under specific conditions. Furthermore, the ACNUR/UNHCR Help page for the Dominican Republic only lists the right to employment as one of recognized refugees, but not of asylum seekers.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21. / ACNUR. "Solicitantes de Asilo - República Dominicana [Asylum applicants- Dominican Republic]". Access date not available. <https://help.unhcr.org/dominicanrepublic/derechos-y-obligaciones/solicitantes-de-asilo/>.

### **4.9.9. Translation and interpretation**

#### **IMMIGRATION\_94. Does the state provide official translation or interpretation for the process of asylum seekers?**

Answer: No

Code: 0

Explanation: No. While the UNHCR/ACNUR website states that asylum applicants have a right to an interpreter in their language to ease communication, the main regulations do not mention a requirement to support applicants with any official translation or interpretation mechanisms.

Sources: Decreto N° 2330 [Decree 2330]. 1984. / ACNUR. "Solicitantes de Asilo - República Dominicana [Asylum applicants- Dominican Republic]". Access date not available. <https://help.unhcr.org/dominicanrepublic/derechos-y-obligaciones/solicitantes-de-asilo/>.

### **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: No. No groups of co-ethnics that fit the definition were found in the main regulation provisions of the Dominican Republic. While the Dominican Republic shares the territory of the Island Hispaniola with Haiti and has a shared history with the population of said nation, it has historically not been a good one, with its ups and downs shaping the nature and application of Dominican migration laws (Sagás, 2017, p. 7), however not in a direction beneficial to Haitian nationals. One of the major controversies has been whether the children of Haitian immigrants in the DR were Dominican citizens or not, with discrimination having existed in the application of jus soli towards the children of Haitian immigrants by Dominican officials. (Sagás, 2017, p. 7). This debate culminated in the 168/13 Constitutional Court ruling in 2013, that established that only persons born inside the national territory to a Dominican parent or to a legal resident are considered citizens, applying this judgement retroactively to all born between 1929 – 2007 and depriving hundreds of thousands of people of Haitian descent from their Dominican nationality. As such, this tense history between the two nations might be a historically plausible answer to the fact that even though both populations have a shared history, no co-ethnic provisions have developed. It is important to note that a special migration subcategory does exist, under the category of non-residents, that is meant for people residing in specific border areas of Haiti and working in specific border territories of the Dominican Republic. These individuals are termed Border Inhabitants (Habitantes fronterizos) and are described as all foreigners residing in the areas of the Republic of Haiti bordering the territory of the Dominican Republic in the provinces of Pedernales, Independencia, Elias Piña, Dajabon and Montecristi that exercise non-work activities and are involved in small, commerce-related activities. Once legally authorized by the DGM, they may enter the national territory daily but must return to their place of residence on the same day. However, this status does not fall under the definition of Co-ethnics. It is not based on a specific type of population, since it is not bound to any specific nationality or ethnic group (and thus its specific cultural or historical relation to the DR) but rather geography, with all foreigners residing near the Dominican border deemed eligible. The basis on geography is further confirmed by the fact that this status is only valid in the border provinces of the DR. It furthermore does not grant any privileged access to residency or nationality to its bearers, as this status falls under the migration category of non-residents which have to leave the country to apply for a residency and whose children are not eligible for jus soli since they are considered non-residents and thus “in transit”. Finally, in the context of the tense relationship between the Dominican Republic and its bordering country Haiti, it seems likely that this status is merely a way to cope with the existing reality of an everyday porous border, not a way to grant benefits to a co-ethnic population group.

Sources: Sagás, Ernesto. Report on Citizenship Law: Dominican Republic. Fiesole: European University Institute, 2017. Accessed August 8, 2019.

**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

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### 5.1. Permanent residence

#### 5.1.1. Eligibility

##### **IMMIGRANT\_1: General existence of a permanent residence scheme.**

Answer: Yes

Code: 1

Explanation: Yes. Immigrants can obtain the migratory category of permanent residents and obtain a corresponding permit, namely a permanent residency. The law defines permanent residents are foreigners that, as a result of the activities they will conduct and/or their circumstances, enter the country with the intention to settle and permanently reside in Dominican territory. The following types/subcategories of permanent residence exist according to Art. 33 of the Migration Law and the latest DGM resolution: 1. Permanent residence Type 1 (RP-1) for foreigners that have been admitted under the intention of establishing themselves in the national territory and that have professional qualifications. 2. Permanent residence Type 2 (RP-2) for Investors, retired people, pensioners or rentiers. 3. Permanent residence Type 3 (RP-3) for foreign relatives, meaning spouses and underage children, of Dominican nationals or of foreigners that are permanent residents.

Sources: Ley N° 285 [Law 285]. 2004. Art. 29, 30 and 31. / Decreto N° 631-11 [Decree 631-11]. 2011. / Resolución N° DGM-1-2013 [Resolution DGM-1-2013]. 2013.

##### **IMMIGRANT\_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?**

Answer: No

Code: 0

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and is valid until their status as refugees is accepted or rejected. As such, they do not meet the requirements to apply for an RP-1 on the basis of a previous temporary residency, an opportunity that is granted to refugees as they are considered temporary residents.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 35.

##### **Do refugees have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes. The regulation of the Migration Law and the DGM establish a procedure for temporary residents to apply to a permanent residency after residing for 5 years in the country. To be precise, they must present their application for a permanent residency to the DGM thirty days before

having reached 5 years as temporary residents. Since recognized refugees are given a temporary residence permit, they are eligible for this track.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. “Solicitud de residencia temporal [Temporary Residence Application]”. Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ley N° 285 [Law 285]. 2004. Art. 35.

#### **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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Do agricultural workers have access to permanent residence?**

Answer: No

Code: 0

Explanation: No. These types of migrants can access the NM1 visa and thus the temporary residency regime through the RT-3 permit that is granted with said visa since the temporary worker migration track was made unavailable, as confirmed by interviews with consular officers (See research note in IMMIGRATION\_25 for a detailed account of this issue). This means they would have the required document, much like refugees, to apply for the permanent residency RP-1. However, the migration law defines the types of migrants admitted under the RP-1 as: “Immigrants, understood as foreigners that possess professional qualifications that the country needs or that fill personnel requirements not satisfied nationally.” As such, this definition cannot be assumed to apply to low skill workers such as agricultural workers. While in the case of temporary residents, a similar definition regarding rather high-skilled migrants existed, we were assured by a consular officer that they could indeed apply, since the migration track that would usually apply to low skilled workers, the Visa and Permit for Temporary Workers, was out of use and had been effectively replaced by the NM1 – RT3 regime. We have however no such confirmation for the case of an agricultural worker applying for a permanent residency, and given the rather clear definition, it is highly unlikely that a DGM officer would grant such a permit in this case.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33 and 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. “Solicitud de residencia temporal [Temporary Residence Application]”. Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Consultation with migration officer, General Migration Directorate of the Dominican Republic. 2019. /

Consultation with consular officer, Consular Department of the Ministry of Foreign Affairs. 2019. / Consultation with consular officer, Dominican Consulate in Madrid. 2019.

### **Do medical doctors have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: Yes. However only if they are employed by private companies, as opposed to international organizations, public institutions, companies in duty-free zones or Multinationals. Bearing a previous temporary residence for work purposes (RT-3), medical doctors could apply for a permanent residency (RT-1), whose bearers are defined as "Immigrants, understood as foreigners that possess professional qualifications that the country needs or that fill personnel requirements not satisfied nationally." They can furthermore do this based on their temporary residency, after residing for 5 years in the country. To be precise, they must present their application for a permanent residency to the DGM thirty days before having reached 5 years as temporary residents. However, in specific cases in which said doctors obtain their NM1s and subsequent RT-3s as a result of being employed by international organizations, public institutions, companies in duty-free zones or multinationals, they are forbidden from applying for another residency or change of migratory status inside Dominican territory, as part of a guarantee signed by their sponsor/employer which is required to obtain the NM1 visa in these cases. This was confirmed by a consular officer.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019..

### **IMMIGRANT\_3: Required time of habitual residence.**

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

Answer: 60

Code: 60

Explanation: A period of 5 years as a temporary resident is required to apply for the permanent residency. To be precise, they must present their application for a permanent residency to the DGM thirty days before having reached 5 years as temporary residents.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: 60

Code: 60

Explanation: A period of 5 years as a temporary resident is required to apply for the permanent residency. To be precise, they must present their application for a permanent residency to the DGM thirty days before having reached 5 years as temporary residents.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

#### **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: Not applicable

Sources: Not applicable

**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: 6

Code: 6

Explanation: Yes. If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 79.

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: 6

Code: 6

Explanation: Yes. If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Ley N° 631-11 [Law 631-11]. 2011. Art. 79.

## **IMMIGRANT\_5. Result of a regularization process.**

**The regularization process leads to:**

Answer: temporal residence permit

Code: 0.25

Explanation: No current case of a permanent regularization mechanism was found. It is important to mention however that in the two-part regularization regime analyzed, namely the National Regularization Plan active until 2018, it was simply established that regularization would result in the bearing of any one of the categories specified in the migration law, with those individuals specified in the 169-14 naturalization law having the chance to either obtain nationality directly if registered in the civil registry at birth or apply for naturalization two years later regardless of the status granted. Having



said this, the DGM has stated based on its data, that those who benefited from the plan were either granted a temporary residency or the non-resident status.

Sources: Decreto N° 327-13 [Decree 327-13]. 1984. Art. 1. / Ley N° 169-14 [Law 169-14]. 2014. Art. 8. / Dirección General de Migración. "RENOVACIÓN PNRE [RENOVATION PNRE]". Accessed July 31, 2019. <https://www.migracion.gob.do/prccm/>.

#### **IMMIGRANT\_6: Language test.**

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

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

Answer: no requirement

Code: 1

Explanation: No language requirements to obtain the permanent residence permit have been established by the DGM.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

##### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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 medical doctors to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: No language requirements to obtain the permanent residence permit have been established by the DGM.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**IMMIGRANT\_7: Economic resources.**

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

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

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

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

Code: 0

Explanation: Yes. Applicants must present a proof of economic self-sustenance as part of their application. The DGM specifies what constitutes as proof: a certificate of vehicle ownership/circulation permit of a car no older than ten years, Property title or bank certificate only under the name of the applicant. If the aforementioned documents are not presented, the applicant must purchase and present a special insurance from a company approved by the DGM.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Yes. Applicants must present a proof of economic self-sustenance as part of their application. The DGM specifies what constitutes as proof: a certificate of vehicle ownership/circulation permit of a car no older than ten years or a property title or bank certificate only under the name of the applicant. If the aforementioned documents are not presented, the applicant must purchase and present a special insurance from a company approved by the DGM.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

**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: 16500

Code: 16500

Explanation: If we add up the cost of the medical exams required for an adult (RD 4,500.00) and the actual cost of the application (RD 12,000.00), the total cost of the application would be RD 16,500.00 or USD 322,84.

Sources: Dirección General de Migración. 2019. "Solicitud de Residencia Permanente [Permanent Residency Application]." Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/26>.

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

Answer: 322.84

Code: 322.84

Explanation: If we add up the cost of the medical exams required for an adult (RD 4,500.00) and the actual cost of the application (RD 12,000.00), the total cost of the application would be RD 16,500.00 or USD 322,84.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>.

#### **IMMIGRANT\_9: Employer sponsorship.**

**Do asylum seekers have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: No. Neither the law nor the DGM establish a sponsorship requirement or a possibility for such a contract to be made when applying for the permanent residency (RP-1). This is understandable, considering that applicants are applying based on a temporary residency that already required a sponsorship to be made as part of the NM1 Visa process, added to the fact that a proof of economic self-sustenance is required.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ministerio de Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: No. Neither the law nor the DGM establish a sponsorship requirement or a possibility for such a contract to be made when applying for the permanent residency (RP-1). This is understandable, considering that applicants are applying based on a temporary residency that already required a sponsorship to be made as part of the NM1 Visa process, added to the fact that a proof of economic self-sustenance is required.

Sources: Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ministerio de Relaciones Exteriores. "Requisitos de

visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

### 5.1.2. Security of status

**IMMIGRANT\_10: Maximum length of application procedure.**

**Maximum length of application procedure for asylum seekers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for asylum seekers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for refugees in months:**

Answer: 3

Code: 3

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, the law itself does not establish any maximum of length for the procedure. Furthermore, the legislation foresees possible delays, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Ley N° 285 [Law 285]. 2004. Art. 79.

**Maximum length of application procedure for refugees:**

Answer: less than six months

Code: 1

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, the law itself does not establish any maximum of length for the procedure. Furthermore, the legislation

foresees possible delays, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Ley N° 285 [Law 285]. 2004. Art. 79.

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for domestic workers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: 3

Code: 3

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, the law itself does not establish any maximum of length for the procedure. Furthermore, the legislation foresees possible delays, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Ley N° 285 [Law 285]. 2004. Art. 79.

**Maximum length of application procedure for medical doctors:**

Answer: less than six months

Code: 1

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, the law itself does not establish any maximum of length for the procedure. Furthermore, the legislation foresees possible delays, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Ley N° 285 [Law 285]. 2004. Art. 79.

**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: no



Code: 0

Explanation: The law establishes no specific grounds for rejecting the granting of a residency

Sources: Ley N° 285 [Law 285]. 2004. Art. 121. / Decreto N° 631-11 [Decree 631-11]. 2011.

#### **IMMIGRANT\_12: Legal guarantees.**

**Rejection of applications must be reasoned:**

Answer: no

Code: 0

Explanation: The law establishes no legal guarantees in the cases of refusal, non-renewal or withdrawal, with guarantees reserved for cases of expulsion and deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Ley N° 631-11 [Law 631-11]. 2011.

**Rejected applicants have the right to appeal:**

Answer: no

Code: 0

Explanation: The law establishes no legal guarantees in the cases of refusal, non-renewal or withdrawal, with guarantees reserved for cases of expulsion and deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

#### **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: No such provisions were found, neither in the Migration Law nor in its regulation. Furthermore, they were not found among the provisions that detail the rights of foreigners.

Sources: Ley N° 285 [Law 285]. 2004. Art. 22-28. / Decreto N° 631-11 [Decree 631-11]. 2011.

## **5.2. Policies of representation**

#### **IMMIGRANT\_14: Regulation of electoral rights.**

**Subnational electoral rights can be regulated at the subnational level:**

Answer: no

Code: 0

Explanation: No. The constitution specifies the electoral rights in general terms, giving no powers to local governments to regulate these rights.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21-24.

### **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: Active electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**Can non-citizen residents vote in national legislative elections (lower house)? :**

Answer: generally disenfranchised

Code: 0

Explanation: Active electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**Can non-citizen residents vote in national legislative elections (upper house)? :**

Answer: generally disenfranchised

Code: 0

Explanation: Active electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**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: not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Passive electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**Can non-citizen residents stand as candidates in national legislative elections (lower house)?**

Answer: generally disenfranchised

Code: 0

Explanation: Passive electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**Can non-citizen residents stand as candidates in national legislative elections (upper house)?**

Answer generally disenfranchised

Code: 0

Explanation: Passive electoral rights are part of citizenship rights, which is reserved only for Dominicans over 18 or married

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21 and 22.

**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: The Party Law specifies that only Dominican citizens registered in the Dominican electoral registry are eligible to register in a political party.

Sources: Ley N° 33-18 [Law 33-18]. 2018. Art. 4.

### **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: No evidence was found for the existence of a consultative body of immigrants either in the Constitution, the migration law or its regulation. Furthermore, there is no legislation that establishes a specific body for immigrant policy in which the voice of immigrants is represented, such as the CONDEX in the case of emigrants. Finally, even in the case of the general body responsible for the formulation of the national migration policy, the National Migration Council, there is no immigrant representation inside said organ.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Ley N° 285 [Law 285]. 2004. Art. 8 and 9. / Ley N° 1-08 [Law 1-08]. 2008.

**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: no

Code: 0

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 y 21.

### **Can refugees access the labor market?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain conditions. As holders of a temporary residency and authorized to work, refugees can access the labor market under the protection of the existing labor and social laws. However, they are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can agricultural workers access the labor market?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain conditions. As holders of an RT-3 temporary residence for working purposes, both Medical doctors and Agricultural workers are authorized to work and can work under the same conditions regarding access to labor and social laws. However, they are limited to work



under the job they applied for when they obtained their entry visa (NM1) and the subsequent RT-3, as confirmed by the NM1 requirements and consular officers interviewed. Changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted."

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 99. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019.

### **Can medical doctors access the labor market?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain conditions. As holders of an RT-3 temporary residence for working purposes, both Medical doctors and Agricultural workers are authorized to work and can work under the same conditions regarding access to labor and social laws. However, they are limited to work under the job they applied for when they obtained their entry visa (NM1) and the subsequent RT-3, as confirmed by the NM1 requirements and consular officers interviewed. Changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted."

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 99. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019.

### **Can permanent residents access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: Yes, equal access. Permanent residents (RP-1) can exercise any labor-related activity, while furthermore enjoying the protection of labor and social laws.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 98.

## **IMMIGRANT\_29: Migrant access to self-employment.**

### **Can asylum seekers access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

#### **Can refugees access self-employment?**

Answer: no

Code: 0

Explanation: No. Refugee status confers them the right to work inside the Dominican territory, however respecting certain limitations. In general, they are limited in their job selection, with the law describing this limitation in terms referring to the general exercise of the right to work, independently of it being self-employment or wage labor. This job selection must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce. Furthermore, being temporary residents, they are not granted the right to self-employment, as opposed to permanent residents in the same chapter of the migration law.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21. / Ley N° 285 [Law 285]. 2004. Art. 98 and 99.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can agricultural workers access self-employment?**

Answer: no

Code: 0

Explanation: No. The nature of the entry visa for working purposes (NM1), requires, in all cases, a contract in a dependent relation with a private company, a public institution or an international

organization. Furthermore, being temporary residents, these proxies are not granted the right to self-employment, as opposed to permanent residents in the same chapter of the migration law.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ministerio de Relaciones Exteriores Relaciones Exteriores. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019. / Ley N° 285 [Law 285]. 2004. Art. 98 and 99.

### **Can medical doctors access self-employment?**

Answer: no

Code: 0

Explanation: No. The nature of the entry visa for working purposes (NM1), requires, in all cases, a contract in a dependent relation with a private company, a public institution or an international organization. Furthermore, being temporary residents, these proxies are not granted the right to self-employment, as opposed to permanent residents in the same chapter of the migration law.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". / Consultation with consular officer, Dominican Consulate in Frankfurt. 2019. / Consultation with consular officer, Dominican Embassy in Berlin. 2019. / Ley N° 285 [Law 285]. 2004. Art. 98 and 99.

### **Can permanent residents access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: Yes, equal access. Permanent residents (RP-1) can exercise any labor-related activity, be it independently or in a dependent contractual relationship, while furthermore enjoying the protection of labor and social laws.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 98.

### **IMMIGRANT\_30: Migrant access to civil service.**

#### **Can asylum seekers access employment in schools (primary and secondary)?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 y 21.

**Can refugees access employment in schools (primary and secondary)?**

Answer: no

Code: 0

Explanation: No. Refugees in general are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can agricultural workers access employment in schools (primary and secondary)?**

Answer: yes, equal access

Code: 1

Explanation: Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law. This is however not the case for teachers, which are not public servants and do not need to be Dominicans, as established by the General Education Law which does not list nationality as a requirement.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Can medical doctors access employment in schools (primary and secondary)?**

Answer: yes, equal access

Code: 1

Explanation: Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law. This is however not the case for teachers, which are not public servants and do not need to be Dominicans, as established by the General Education Law which does not list nationality as a requirement.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 69-97 [Law 69-97]. 2013. Art. 136.

#### **Can permanent residents access employment in schools (primary and secondary)?**

Answer: yes, equal access

Code: 1

Explanation: Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law. This is however not the case for teachers, which are not public servants and do not need to be Dominicans, as established by the General Education Law which does not list nationality as a requirement.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Can asylum seekers access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

#### **Can refugees access employment in public administration?**

Answer: no

Code: 0

Explanation: No. Refugees in general are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can agricultural workers access employment in public administration?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Can medical doctors access employment in public administration?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Can permanent residents access employment in public administration?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Can asylum seekers access employment in the police?**

Answer: not applicable

Code: Not applicable

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

#### **Can refugees access employment in the police?**

Answer: no

Code: 0

Explanation: No. Refugees in general are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can agricultural workers access employment in the police?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Can medical doctors access employment in the police?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Can permanent residents access employment in the police?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Quotas for preferential hiring of asylum seekers exist:**

Answer: not applicable

Code: Not applicable

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.



Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

**Quotas for preferential hiring of refugees exist:**

Answer: no

Code: 0

Explanation: No. Refugees in general are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of agricultural workers exist:**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

**Quotas for preferential hiring of medical doctors:**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Quotas for preferential hiring of permanent residents:**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Can asylum seekers access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for Asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

#### **Can refugees access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No. Refugees in general are limited in their job selection, which must be pre-approved by the National Refugee Office and the Ministry of labor based on the criteria of non-displacement of the national workforce.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can agricultural workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Can medical doctors access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

#### **Can permanent residents access employment in the armed forces?**

Answer: no

Code: 0

Explanation: No. Both temporary and permanent residents have limited access to public sector employment as compared to nationals. To be part of the public administration as public servants, the police body or the military, Dominican nationality is required by law.

Sources: Ley N° 41-08 [Law 41-08]. 2008. Art. 33. / Ley N° 139-13 [Law 139-13]. 2013. Art. 97. / Ley N° 590-16 [Law 590-16]. 2016. Art. 58. / Ley N° 66-97 [Law 66-97]. 1997. Art. 136.

### **5.3.2. Access to support**

#### **IMMIGRANT\_31: Public employment services.**

##### **Can asylum seekers access public employment services?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain circumstances. The only formal requirements to access the public employment services offered by the Ministry of Labor, as part of their “EmpléateYa” initiative (Get a Job Now!), are visiting one of the territorial employment offices (Oficina Territorial de Empleo – OTE) and presenting an identification document (ID, Passport, Regularization Plan ID in the case of foreigners regularized by the National Regularization Plan). Services offered are: Registry in the National Electronic Employment Exchange, Individually tailored assistance in the job search, Individually tailored vocational orientation, Vocational orientation group workshops, Referrals to professional education institutions, Self-employment and entrepreneurship orientation. While in theory, asylum seekers could very well have access to certain parts of the program, such as getting their CVs commented or workshops, they will have limited access to many key initiatives such as being part of the national electronic employment exchange, since they are not eligible to work.

Sources: ¡EmpléateYa!. “El Portal Oficial de Empleo Del Ministerio de Trabajo de La República Dominicana [The Official Employment Portal of the Ministry of Labor of the Dominican Republic]”. Accessed September 9, 2019. <https://empleateya.mt.gob.do/#!/servicios/servicios-demandantes>. / Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

##### **Can refugees access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals. The only formal requirements to access the public employment services offered by the Ministry of Labor, as part of their “EmpléateYa” initiative (Get a Job Now!), are visiting one of the territorial employment offices (Oficina Territorial de Empleo – OTE) and presenting an identification document (ID, Passport, Regularization Plan ID in the case of foreigners regularized by the National Regularization Plan). Furthermore, refugees are eligible for work pending the authorization of the National Refugee Office, so they should have access to all employment related services offered by the program.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 21. / ¡EmpléateYa!. “El Portal Oficial de Empleo Del Ministerio de Trabajo de La República Dominicana [The Official Employment Portal of the Ministry of Labor of the Dominican Republic]”. Accessed September 9, 2019. <https://empleateya.mt.gob.do/#!/servicios/servicios-demandantes>.

### **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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can agricultural workers access public employment services?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain circumstances. The only formal requirements to access the public employment services offered by the Ministry of Labor, as part of their “EmpléateYa” initiative (Get a Job Now!), are visiting one of the territorial employment offices (Oficina Territorial de Empleo – OTE) and presenting an identification document (ID, Passport, Regularization Plan ID in the case of foreigners regularized by the National Regularization Plan). However, similarly to asylum seekers, agricultural workers and medical doctors might have limited access to certain sections of the program. As a result of being employed under the NM1-RT3 regime, these proxies are tied to the job for which they requested said visa, which would make their registry in the national employment exchange difficult, as they are not available for immediate deployment.

Sources: ¡EmpléateYa!. “El Portal Oficial de Empleo del Ministerio de Trabajo de la República Dominicana [The Official Employment Portal of the Ministry of Labor of the Dominican Republic]”. Accessed September 9, 2019. <https://empleateya.mt.gob.do/#/servicios/servicios-demandantes>. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

### **Can medical doctors access public employment services?**

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but under certain circumstances. The only formal requirements to access the public employment services offered by the Ministry of Labor, as part of their “EmpléateYa” initiative (Get a Job Now!), are visiting one of the territorial employment offices (Oficina Territorial de Empleo – OTE)

and presenting an identification document (ID, Passport, Regularization Plan ID in the case of foreigners regularized by the National Regularization Plan). However, similarly to asylum seekers agricultural workers and medical doctors might have limited access to certain sections of the program. As a result of being employed under the NM1-RT3 regime, these proxies are tied to the job for which they requested said visa, which would make their registry in the national employment exchange difficult, as they are not available for immediate deployment.

Sources: ¡EmpléateYa!. “El Portal Oficial de Empleo del Ministerio de Trabajo de la República Dominicana [The Official Employment Portal of the Ministry of Labor of the Dominican Republic]”. Accessed September 9, 2019. <https://empleateya.mt.gob.do/#!/servicios/servicios-demandantes>. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]”. Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>.

### **Can permanent residents access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: Yes, equal access as nationals. The only formal requirements to access the public employment services offered by the Ministry of Labor, as part of their “EmpléateYa” initiative (Get a Job Now!), are visiting one of the territorial employment offices (Oficina Territorial de Empleo – OTE) and presenting an identification document (ID, Passport, Regularization Plan ID in the case of foreigners regularized by the National Regularization Plan). Furthermore, since permanent residents can exercise any labor-related activity, they should have access to all parts of the initiative.

Sources: ¡EmpléateYa!. “El Portal Oficial de Empleo del Ministerio de Trabajo de La República Dominicana [The Official Employment Portal of the Ministry of Labor of the Dominican Republic]”. Accessed September 9, 2019. <https://empleateya.mt.gob.do/#!/servicios/servicios-demandantes>. / Ley N° 285 [Law 285]. 2004. Art. 26 and 98.

### **IMMIGRANT\_32: Recognition of qualifications.**

#### **Recognition of qualifications acquired abroad by asylum seekers:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Ad hoc. There is no procedure of recognition for asylum seekers as these are not considered residents. The recognition procedure established by the Autonomous University of Santo Domingo, the competent authority for all recognitions at the national level as established by the higher education law, requires applicants to present an ID, a passport and a Dominican residence permit to access said procedure.

Sources: Ley N° 139-01 [Law 139-01]. 2013. Art. 33. / Universidad Autónoma de Santo Domingo. “Reválida o reconocimiento de título [Revalidation or Recognition of Degree]”. Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revvalida-o-recono>.

#### **Recognition of qualifications acquired abroad by refugees:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Ad hoc. Refugees do have access to the recognition process as they are holders of a residence permit. However, the recognition is limited to certain universities. Only foreigners with a valid residence permit can go through the process of recognition at the main public University of the Dominican Republic, since a residence permit is a requirement to start the procedure, together with an ID and a valid passport. Furthermore, recognition is limited, as it applies to those universities that the Ministry of Higher Education, Science and Technology recognizes, that are part of the Hague 1961 convention and that comply with the standards set forth by the Autonomous University of Santo Domingo.

Sources: Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-recono.> / Universidad Autónoma de Santo Domingo. "Preguntas Frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. [https://www.uasd.edu.do/index.php/preguntas-frecuentes.](https://www.uasd.edu.do/index.php/preguntas-frecuentes)

#### **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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Recognition of qualifications acquired abroad by agricultural workers:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Ad hoc. They do have access to the recognition process as they are holders of a residence permit. However, the recognition is limited to certain universities. Only foreigners with a valid residence permit can go through the process of recognition at the main public University of the Dominican Republic, since a residence permit is a requirement to start the procedure, together with an ID and a valid passport. Furthermore, recognition is limited, as it applies to those universities that the Ministry of Higher Education, Science and Technology recognizes, that are part of the Hague 1961 convention and that comply with the standards set forth by the Autonomous University of Santo Domingo.

Sources: Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-recono>. / Universidad Autónoma de Santo Domingo. "Preguntas Frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/preguntas-frecuentes>.

#### **Recognition of qualifications acquired abroad by medical doctors:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Ad hoc. They do have access to the recognition process as they are holders of a residence permit. However, the recognition is limited to certain universities. Only foreigners with a valid residence permit can go through the process of recognition at the main public University of the Dominican Republic, since a residence permit is a requirement to start the procedure, together with an ID and a valid passport. Furthermore, recognition is limited, as it applies to those universities that the Ministry of Higher Education, Science and Technology recognizes, that are part of the Hague 1961 convention and that comply with the standards set forth by the Autonomous University of Santo Domingo.

Sources: Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-recono>. / Universidad Autónoma de Santo Domingo. "Preguntas Frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/preguntas-frecuentes>.

#### **Recognition of qualifications acquired abroad by permanent residents:**

Answer: No standardized procedure for recognition of titles for migrants

Code: 0

Explanation: Ad hoc. They do have access to the recognition process as they are holders of a residence permit. However, the recognition is limited to certain universities. Only foreigners with a valid residence permit can go through the process of recognition at the main public University of the Dominican Republic, since a residence permit is a requirement to start the procedure, together with an ID and a valid passport. Furthermore, recognition is limited, as it applies to those universities that the Ministry of Higher Education, Science and Technology recognizes, that are part of the Hague 1961 convention and that comply with the standards set forth by the Autonomous University of Santo Domingo.

Sources: Universidad Autónoma de Santo Domingo. "Reválida o reconocimiento de título [Revalidation or Recognition of Degree]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/2018-01-23-20-50-42/revalida-o-recono>. / Universidad Autónoma de Santo Domingo. "Preguntas Frecuentes [Frequently Asked Questions]". Accessed July 19, 2019. <https://www.uasd.edu.do/index.php/preguntas-frecuentes>.

### **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: Not applicable

Code: Not applicable

Explanation: No. Asylum applicants are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the national territory until their status as refugees is accepted or rejected. While refugees are explicitly awarded the right to work in the same legislation, this is not the case for asylum applicants with their status tied to the mentioned permit.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 9 and 21.

**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: As the migration law stipulates, all foreigners authorized to work inside the Dominican territory, namely refugees, temporary and permanent residents, will enjoy the protection of the country's labor and social laws. Indeed, labor legislation regarding the right to the constitution of and the membership in trade union associations mentions no restriction related to nationality, referring to the right bearers as workers and thus in harmony with the migration law, granting equal labor rights to migrants based on them bearing a work permit. However, labor legislation does state that trade unions have a right to impose further restrictions on their membership. In an example taken from the statutes of the association of school teachers, membership is only conditional on being or having been a teacher, whereas the right to elect or be elected to a leadership position is dependent on possessing civil rights, namely Dominican citizenship.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Resolución N° 4505 [Resolution 4505]. 1956. Art. 2. / Ley N° 16-92 [Law 16-92]. 1992. Art. 330 and 331. / Estatutos de La Asociación Dominicana de Profesores [Statutes of the Dominican Association of School Teachers]. 2012. Art. 7 and 13.

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: As the migration law stipulates, all foreigners authorized to work inside the Dominican territory, namely refugees, temporary and permanent residents, will enjoy the protection of the country's labor and social laws. Indeed, labor legislation regarding the right to the constitution of and the membership in trade union associations mentions no restriction related to nationality, referring to the right bearers as workers and thus in harmony with the migration law, granting equal labor rights to migrants based on them bearing a work permit. However, labor legislation does state that trade unions have a right to impose further restrictions on their membership. In an example taken from the statutes of the association of school teachers, membership is only conditional on being or having been a teacher, whereas the right to elect or be elected to a leadership position is dependent on possessing civil rights, namely Dominican citizenship.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Resolución N° 4505 [Resolution 4505]. 1956. Art. 2. / Ley N° 16-92 [Law 16-92]. 1992. Art. 330 and 331. / Estatutos de La Asociación Dominicana de Profesores [Statutes of the Dominican Association of School Teachers]. 2012. Art. 7 and 13.

**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: As the migration law stipulates, all foreigners authorized to work inside the Dominican territory, namely refugees, temporary and permanent residents, will enjoy the protection of the country's labor and social laws. Indeed, labor legislation regarding the right to the constitution of and the membership in trade union associations mentions no restriction related to nationality, referring to the right bearers as workers and thus in harmony with the migration law, granting equal labor rights to migrants based on them bearing a work permit. However, labor legislation does state that trade unions have a right to impose further restrictions on their membership. In an example taken from the statutes of the association of school teachers, membership is only conditional on being or having been a teacher, whereas the right to elect or be elected to a leadership position is dependent on possessing civil rights, namely Dominican citizenship.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Resolución N° 4505 [Resolution 4505]. 1956. Art. 2. / Ley N° 16-92 [Law 16-92]. 1992. Art. 330 and 331. / Estatutos de La Asociación Dominicana de Profesores [Statutes of the Dominican Association of School Teachers]. 2012. Art. 7 and 13.

**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: As the migration law stipulates, all foreigners authorized to work inside the Dominican territory, namely refugees, temporary and permanent residents, will enjoy the protection of the country's labor and social laws. Indeed, labor legislation regarding the right to the constitution of and the membership in trade union associations mentions no restriction related to nationality, referring to the right bearers as workers and thus in harmony with the migration law, granting equal labor rights to migrants based on them bearing a work permit. However, labor legislation does state that trade unions have a right to impose further restrictions on their membership. In an example taken from the statutes of the association of school teachers, membership is only conditional on being or having been a teacher, whereas the right to elect or be elected to a leadership position is dependent on possessing civil rights, namely Dominican citizenship.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Resolución N° 4505 [Resolution 4505]. 1956. Art. 2. / Ley N° 16-92 [Law 16-92]. 1992. Art. 330 and 331. / Estatutos de La Asociación Dominicana de Profesores [Statutes of the Dominican Association of School Teachers]. 2012. Art. 7 and 13.

#### **IMMIGRANT\_34: Job transferability.**

##### **Can asylum seekers change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can refugees change their employer without risking their immigration status?**

Answer: Yes, without conditions

Code: 1

Explanation: Yes, without conditions. The law grants refugees the right to work under authorization of the National Refugee office and does not stipulate any further limitations regarding switching their employers. Furthermore, the reasons to withdraw refugee status are explicitly listed in the law, and none of them are related to issues regarding employment.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 11, 12 and 21.

##### **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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can agricultural workers change their employer without risking their immigration status?**

Answer: No

Code: 0

Explanation: No. Medical doctors and agricultural workers are limited to work under the job they applied for when they obtained their entry visa (NM1) and the subsequent RT-3, as confirmed by the NM1 requirements and consular officers interviewed. Changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted."

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019.

**Can medical doctors change their employer without risking their immigration status?**

Answer: No

Code: 0

Explanation: No. Medical doctors and agricultural workers are limited to work under the job they applied for when they obtained their entry visa (NM1) and the subsequent RT-3, as confirmed by the NM1 requirements and consular officers interviewed. Changing jobs while holding the same visa would incur in a violation of the guarantee that must be signed by the sponsor institution or company, which must contain a clause that explicitly states the following: "I guarantee that (name, nationality and passport) will dedicate him or herself exclusively to the activity for which his or her visa was granted."

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de negocios múltiple (NM1) [Requirements for the Multiple Entry Business Visa (NM1)]". Accessed August 2, 2019. <http://www.mirex.gob.do/servicios/visa-de-negocios-multiple>. / Second consultation with consular officer, Dominican Embassy in Berlin. 2019.

**Can permanent residents change their employer without risking their immigration status?**

Answer: Yes, without conditions

Code: 1

Explanation: Yes, without condition. Permanent residents (RP-1) can exercise any labor-related activity, be it independently or in a dependent contractual relationship, while furthermore enjoying the protection of labor and social laws. Furthermore, the migration law does not establish any limitations with regards to switching employers for this proxy.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 98.

#### **IMMIGRANT\_35: Right to redress.**

**Do asylum seekers 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 refugees have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The Migration law explicitly states that all foreigners eligible to work in the Dominican Republic are subject to the protection of the national labor and social laws. As such, all proxies eligible to work in the Dominican Republic are granted the right to redress that results from specific contractual violations, such as the specific sums that the employer must pay when firing an employee without proper justification.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 16-92 [Law 16-92]. 1992. Art. 95.

**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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: Yes. The Migration law explicitly states that all foreigners eligible to work in the Dominican Republic are subject to the protection of the national labor and social laws. As such, all proxies eligible to work in the Dominican Republic are granted the right to redress that results from specific contractual violations, such as the specific sums that the employer must pay when firing an employee without proper justification.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 16-92 [Law 16-92]. 1992. Art. 95.

**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: Yes. The Migration law explicitly states that all foreigners eligible to work in the Dominican Republic are subject to the protection of the national labor and social laws. As such, all proxies eligible to work in the Dominican Republic are granted the right to redress that results from specific contractual violations, such as the specific sums that the employer must pay when firing an employee without proper justification.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 16-92 [Law 16-92]. 1992. Art. 95.

**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. The Migration law explicitly states that all foreigners eligible to work in the Dominican Republic are subject to the protection of the national labor and social laws. As such, all proxies eligible to work in the Dominican Republic are granted the right to redress that results from specific contractual violations, such as the specific sums that the employer must pay when firing an employee without proper justification.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 16-92 [Law 16-92]. 1992. Art. 95.

### 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. The constitution establishes the right to property for all people, independently of nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51.

##### Can refugees acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The constitution establishes the right to property for all people, independently of nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51.

##### 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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### Can agricultural workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The constitution establishes the right to property for all people, independently of nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51.

#### **Can medical doctors acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The constitution establishes the right to property for all people, independently of nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51.

#### **Can permanent residents acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. The constitution establishes the right to property for all people, independently of nationality.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 51.

## **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: There is no right to family reunification specified for asylum seekers, neither in the refugee nor the main migration regulations. While refugees can access family reunification thanks to their status as temporary residents, with the migration law explicitly providing a pathway towards temporary residency for the spouses and underage children of said status bearers, asylum seekers are only granted a renewable temporary permit that lasts 60 days and allows them to stay inside the



national territory until their status as refugees is accepted or rejected. Said permit comes with no family reunification rights. Such a right is also not specified by the list of asylum seeker rights compiled by UNHCR/ACNUR.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 2330 [Decree 2330]. 1984. Art. 9. / ACNUR. "Solicitantes de asilo - República Dominicana [Asylum Applicants – Dominican Republic]". Accessed August 8, 2019. <https://help.unhcr.org/dominicanrepublic/derechos-y-obligaciones/solicitantes-de-asilo/>.

### **Can refugees bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign Affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of the main family member. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can agricultural workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of the main family member. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

### **Can medical doctors bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of the main family member. Before the DGM, in addition to presenting the mentioned certificates,

passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

### **Can permanent residents bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of permanent residents (only having a residence permit). Migrants categorized as residents, be they temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of permanent residents need to apply for an entry visa, in this case the residency visa (RS), a specific regime for family reunification that is meant for those planning to permanently reside in Dominican territory, as stipulated by the Ministry of Foreign Affairs. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their residence permit. Similar to the DPM regime, before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and the signing of a guarantee in which the migrant resident himself in the DR makes him/herself economically and morally responsible for his/her spouse and children. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation or by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

### *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: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (refugees):**

Answer: no residence requirement

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of the main family member. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

**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: no residence requirement

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of the main family member. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

#### **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: no residence requirement

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of temporary residents (only having a residence permit). Migrants categorized as residents, be them temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of temporary residents need to apply for an entry visa, in this case the Multiple Dependent Visa (DPM) as stipulated by the Ministry of Foreign affairs, which is issued on the basis of family relations of dependency and is subject to the type of visa granted to the main family member. The Ministry of Foreign Affairs makes clear that any person residing legally in the Dominican Republic has a right to apply for this type of visas, making it thus valid both for NM1-RT3 holders and refugees. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their temporary residence permit. Before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and in the cases under the NM1 visa track, the signing of a guarantee by the sponsor institution or company in which they guarantee that the applicants are actual dependents of

the main family member. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation, the refugee law, nor by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Decreto N° 2330 [Decree 2330]. 1984.

**Residence requirement for ordinary legal residents (permanent residents). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (permanent residents):**

Answer: no residence requirement

Code: 1

Explanation: The law establishes no specific residence requirement for family reunification in the case of permanent residents (only having a residence permit).- Migrants categorized as residents, be they temporal or permanent, can apply for family reunification, limited to their spouses and underage children. As with other visa tracks, spouses and children of permanent residents need to apply for an entry visa, in this case the residency visa (RS), a specific regime for family reunification that is meant for those planning to permanently reside in Dominican territory, as stipulated by the Ministry of Foreign Affairs. Once obtained and having entered the country, applicants will need to present themselves before the DGM to present further documents and obtain their residence permit. Similar to the DPM regime, before the Ministry of Foreign Affairs through their consulates, the main requirements to be presented consist of either a marriage or birth certificate, depending on the specific applicant, and the signing of a guarantee in which the migrant resident himself in the DR makes him/herself economically and morally responsible for his/her spouse and children. Before the DGM, in addition to presenting the mentioned certificates, passports of the family members will have to be presented. No mention of a specific residence requirement was mentioned, neither in the migration law, its regulation or by the requirements set forth by the Ministry of Foreign Affairs.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**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: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (refugees): Children.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (refugees): Parents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (refugees): Grandparents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**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: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the

requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (agricultural workers): Children.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (agricultural workers): Parents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (agricultural workers): Grandparents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (medical doctors): Spouse.**

Answer: yes

Code: 1

Explanation: For temporary residents, underage children and spouses are eligible for family reunification. As opposed to the permanent residents however, only marriages are considered when applying for a DPM visa, and an option for partnerships based on civil unions is missing when compared to the RS visa track.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]”. Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.**

Answer: no

Code: 0

Explanation: For temporary residents, underage children and spouses are eligible for family reunification. As opposed to the permanent residents however, only marriages are considered when applying for a DPM visa, and an option for partnerships based on civil unions is missing when compared to the RS visa track.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (medical doctors): Children.**

Answer: yes

Code: 1

Explanation: For temporary residents, underage children and spouses are eligible for family reunification. As opposed to the permanent residents however, only marriages are considered when applying for a DPM visa, and an option for partnerships based on civil unions is missing when compared to the RS visa track.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (medical doctors): Parents.**

Answer: no

Code: 0

Explanation: For temporary residents, underage children and spouses are eligible for family reunification. As opposed to the permanent residents however, only marriages are considered when applying for a DPM visa, and an option for partnerships based on civil unions is missing when compared to the RS visa track.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (medical doctors): Grandparents.**

Answer: no

Code: 0

Explanation: For temporary residents, underage children and spouses are eligible for family reunification. As opposed to the permanent residents however, only marriages are considered when applying for a DPM visa, and an option for partnerships based on civil unions is missing when compared to the RS visa track.

Sources: Ley N° 285 [Law 285]. 2004. Art. 35. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (permanent residents): Spouse.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a "proof of coexistence" depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.



**Family member eligible for reunification (permanent residents): Children.**

Answer: yes

Code: 1

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (permanent residents): Parents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia [Residence Visa Requirements]”. Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

**Family member eligible for reunification (permanent residents): Grandparents.**

Answer: no

Code: 0

Explanation: For permanent residents, underage children and spouses are eligible for family reunification. While the migration law uses the term spouse, the requirements of the regulation of the migration law to obtain the temporary or permanent residency for dependents mention that one can provide either a marriage certificate or a “proof of coexistence” depending on what applies, meaning that for someone to be considered a partner, marriage is not per se required. Similarly, in the requirements for the RS entry visa, one can provide a document certifying a civil union that has lasted at least 2 years, as opposed to a marriage certificate.

Sources: Ley N° 285 [Law 285]. 2004. Art. 33. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 50. / Ministerio de Relaciones Exteriores República Dominicana. “Requisitos de visa de residencia

[Residence Visa Requirements]". Accessed September 11, 2019.  
<http://www.mirex.gob.do/servicios/visa-de-residencia>.

### *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: Not applicable

Sources: Not applicable

##### **Length of application procedure (refugees).**

Answer: no regulation of maximum length

Code: 0

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, for both temporary and permanent residencies, the migration law itself does not establish any maximum of length for the procedure. Neither does the Ministry of Foreign Relations with regards to the DPM or RS entry visas. Furthermore, the legislation foresees possible delays in both the process to obtain a temporary and a permanent residency, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Dirección General de Migración. "Solicitud de residencia permanente [Permanent Residency Application]". Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/26>. / Ley N° 285 [Law 285]. 2004. Art. 79. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

**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: no regulation of maximum length

Code: 0

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, for both temporary and permanent residencies, the migration law itself does not establish any maximum of length for the procedure. Neither does the Ministry of Foreign Relations with regards to the DPM or RS entry visas. Furthermore, the legislation foresees possible delays in both the process to obtain a temporary and a permanent residency, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Dirección General de Migración. "Solicitud de residencia permanente [Permanent Residency Application]". Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/26>. / Ley N° 285 [Law 285]. 2004. Art. 79. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

### **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: no regulation of maximum length

Code: 0

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, for both temporary and permanent residencies, the migration law itself does not establish any maximum of length for the procedure. Neither does the Ministry of Foreign Relations with regards to the DPM or RS entry visas. Furthermore, the legislation foresees possible delays in both the process to obtain a temporary and a permanent residency, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Dirección General de Migración. "Solicitud de residencia permanente [Permanent Residency Application]". Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/26>. / Ley N° 285 [Law 285]. 2004. Art. 79. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

#### **Length of application procedure in months (permanent residents).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Length of application procedure (permanent residents).**

Answer: no regulation of maximum length

Code: 0

Explanation: While the DGM specifies that the length of the procedure should be 90 working days, for both temporary and permanent residencies, the migration law itself does not establish any maximum of length for the procedure. Neither does the Ministry of Foreign Relations with regards to the DPM or RS entry visas. Furthermore, the legislation foresees possible delays in both the process to obtain a temporary and a permanent residency, with a specific provision specifying that If an application is still in process for reasons beyond an applicant's control, said applicant can be issued a reentry permit, valid for 6 months, if he or she wishes to leave the country during the process.

Sources: Dirección General de Migración. "Solicitud de residencia temporal [Temporary Residence Application]". Accessed August 2, 2019. <https://www.migracion.gob.do/Menu/SubList/25>. / Dirección General de Migración. "Solicitud de residencia permanente [Permanent Residency Application]". Accessed August 8, 2019. <https://www.migracion.gob.do/Menu/SubList/26>. / Ley N° 285 [Law 285]. 2004. Art. 79. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

## **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: Equal to sponsor's residence permit and renewable. The Ministry of Foreign Affairs makes clear that the DPM visa, which applies to dependents of temporary residents, is subject to the type of permit granted to the main family member, meaning that applicants will be granted a temporary residence permit, just like a refugee would, when presenting themselves with their DPM entry visa before the DGM. A temporary residence permit lasts one year and is in turn renewable. This goes in line with the refugee law, which grants refugee status through a collective application procedure to the spouse and children of the status bearer.

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ley N° 285 [Law 285]. 2004. Art. 39. / Decreto N° 2330 [Decree 2330]. 1984. Art. 8.

### **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: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable. The Ministry of Foreign Affairs makes clear that the DPM visa, which applies to dependents of temporary residents, is subject to the type of permit granted to the main family member, meaning that applicants will be granted a temporary residence permit, just like an NM1 holder would, when presenting themselves with their DPM entry visa before the DGM. The Migration Law in turn makes clear that the dependents of temporary residents can be admitted into the country as temporary residents themselves. A temporary residence permit lasts one year and is renewable.

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ley N° 285 [Law 285]. 2004. Art. 35 and 39.

**Duration of validity of permit (medical doctors):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable The Ministry of Foreign Affairs makes clear that the DPM visa, which applies to dependents of temporary residents, is subject to the type of permit granted to the main family member, meaning that applicants will be granted a temporary residence permit, just like an NM1 holder would, when presenting themselves with their DPM entry visa before the DGM. The Migration Law in turn makes clear that the dependents of temporary residents can be admitted into the country as temporary residents themselves. A temporary residence permit lasts one year and is renewable.

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ley N° 285 [Law 285]. 2004. Art. 35 and 39.

**Duration of validity of permit (permanent residents):**

Answer: not equal to sponsor's but more or equal a year

Code: 0.5

Explanation: The Ministry of Foreign affairs makes clear that the residence permit to be obtained corresponding to a Residency Visa (RS) is a temporary residence permit under the visa track established by article 48 of the Regulation of the Migration Law, meaning that the dependents of permanent residents would initially obtain a temporary residence permit. A temporary residence permit lasts one year and is renewable. This does not mean however, that they are not eligible for a permanent residence permit. Both the migration law and its regulation make clear that dependents of permanent residents can be admitted as permanent residents. However, the information of the Ministry of Foreign affairs makes clear that this does not occur automatically, meaning that dependents must first comply with the 5-year temporary residence requirement to obtain the permanent one.

Sources: Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Ley N° 285 [Law 285]. 2004. Art. 33 and 39. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 48 y 50.

**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 national security is a ground for rejecting family reunification application (refugees):**

Answer: yes

Code: 1

Explanation: Dependents of refugees will be granted an equal temporary residence permit and refugee status, therefore making the grounds for rejection or renewal of status equal to those of a refugee, namely: If the refugee has decided to voluntarily put himself under the protection of his or her



country of nationality or recovered his or her nationality in the case of statelessness; If the refugee has acquired a new nationality and enjoys the protection of said country; If the refugee has voluntarily established his or herself once again in the abandoned country; If the original circumstances based on which the status was granted disappear. Grounds for rejecting status: Having committed a crime against peace, a war crime or a crime against humanity; Having committed a serious crime outside of the country of refuge before being admitted; Having been guilty of actions against the goals and principles of the United Nations. Finally, a refugee can be expelled from the country on the grounds of national security and will not be subject to the protections of the refugee law if he is determined to be a threat to the safety of the country.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 11-13.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: This is not stated neither in the grounds for withdrawal of status nor in the grounds for rejecting status.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 11-13.

**Break-up of family relationship is a ground for rejecting family reunification application (refugees):**

Answer: yes

Code: 1

Explanation: Dependents of refugees will be granted an equal temporary residence permit and refugee status, therefore making the grounds for rejection or renewal of status equal to those of a refugee, namely: Grounds for withdrawal of status: If the refugee has decided to voluntarily put himself under the protection of his or her country of nationality or recovered his or her nationality in the case of statelessness; If the refugee has acquired a new nationality and enjoys the protection of said country; If the refugee has voluntarily established his or herself once again in the abandoned country; and if the original circumstances based on which the status was granted disappear.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 11-13.

**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: yes

Code: 1

Explanation: There is no specific list or article that specifies the grounds for the rejection or rejection of renewal of status of temporal and permanent residents. However, the law is clear on the grounds for withdrawal of status, deportation and expulsion of residents. It furthermore specifies that foreigners who pose a threat to the national security of the country or become a burden to the state will be subject to expulsion. The regulation of the migration law makes clear that serious violations of the Dominican law will result in withdrawal of a foreigner's migratory status.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):**

Answer: yes

Code: 1

Explanation: The migration law makes clear that foreigners who have obtained their right to entry or permanence under false pretenses will be deported and makes this an explicit ground for the withdrawal of migratory status.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: There is no specific list or article that specifies the grounds for the rejection or rejection of renewal of family reunification requests for temporal and permanent residents.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):**

Answer: yes

Code: 1

Explanation: The migration law makes clear that foreigners who have obtained their right to entry or permanence under false pretenses will be deported and makes this an explicit ground for the withdrawal of migratory status. It furthermore specifies that foreigners who pose a threat to the national security of the country or become a burden to the state will be subject to expulsion.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):**

Answer: yes

Code: 1

Explanation: The migration law makes clear that foreigners who have obtained their right to entry or permanence under false pretenses will be deported and makes this an explicit ground for the withdrawal of migratory status.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: No specific provisions related to family relationship were found.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):**

Answer: yes

Code: 1

Explanation: The migration law specifies that foreigners who pose a threat to the national security of the country or become a burden to the state will be subject to expulsion.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):**

Answer: yes

Code: 1

Explanation: The migration law makes clear that foreigners who have obtained their right to entry or permanence under false pretenses will be deported and makes this an explicit ground for the withdrawal of migratory status.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

**Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):**

Answer: no

Code: 0

Explanation: No specific provisions related to family relationship were found.

Sources: Ley N° 285 [Law 285]. 2004. Art. 42, 43, 121 and 122. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 80.

#### **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: No provision was found, neither in the refugee law, the migration law or its regulation that specifies which factors are taken into account before the withdrawal of status in the case of refugee dependents, or of refugees in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The factors stipulated by the Migration Law that are generally taken into account before any expulsion or deportation and that would apply to refugee dependents are: Duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory Existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):**

Answer: no

Code: 0

Explanation: No provision was found, neither in the refugee law, the migration law or its regulation that specifies which factors are taken into account before the withdrawal of status in the case of refugee dependents, or of refugees in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The factors stipulated by the Migration Law that are generally taken into account before any expulsion or deportation and that would apply to refugee dependents are: Duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory Existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):**

Answer: no

Code: 0

Explanation: No provision was found, neither in the refugee law, the migration law or its regulation that specifies which factors are taken into account before the withdrawal of status in the case of refugee

dependents, or of refugees in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The factors stipulated by the Migration Law that are generally taken into account before any expulsion or deportation and that would apply to refugee dependents are: Duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory Existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):**

Answer: no

Code: 0

Explanation: No provision was found, neither in the refugee law, the migration law or its regulation that specifies which factors are taken into account before the withdrawal of status in the case of refugee dependents, or of refugees in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The factors stipulated by the Migration Law that are generally taken into account before any expulsion or deportation and that would apply to refugee dependents are: Duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory Existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011.

**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: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the withdrawal of status of NM1 dependents, or of NM1 holders/temporary residents in general. The law however does list factors taken into consideration before expulsions and deportations. The general factor stipulated by the Migration Law that is taken into account before any expulsion or deportation and that would apply to NM1 dependents is: Existing links with the Dominican Republic since due account is taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the expulsion or deportation of permanent residence dependents, or of permanent resident holders in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The general factors stipulated by the Migration Law that are taken into account before any expulsion or deportation and that would apply to permanent residency dependents are:

Duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory and existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the expulsion or deportation of permanent residence dependents, or of permanent resident holders in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The general factors stipulated by the Migration Law that are taken into account before any expulsion or deportation and that would apply to permanent residency dependents are: duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory and existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the expulsion or deportation of permanent residence dependents, or of permanent resident holders in general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The general factors stipulated by the Migration Law that are taken into account before any expulsion or deportation and that would apply to permanent residency dependents are: - duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory and existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):**

Answer: no

Code: 0

Explanation: No provision was found that specifies which factors are taken into account before the expulsion or deportation of permanent residence dependents, or of permanent resident holders in

general for that matter. The law however does list factors taken into consideration before expulsions and deportations. The general factors stipulated by the Migration Law that are taken into account before any expulsion or deportation and that would apply to permanent residency dependents are: - duration of residence in country, since the law specifies that deportation or expulsion may not be ordered when the foreigner has resided peacefully, legally and continuously for a period of 10 years inside the national territory, and existing links with the Dominican Republic since due account is also taken of whether the foreigners in question have any officially registered Dominican children.

Sources: Ley N° 285 [Law 285]. 2004. Art. 123.

#### **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: no

Code: 0

Explanation: Legal guarantees are available to refugees only in the cases of refusal of status, with no guarantees specified for the process of withdrawal. It is however important to note that guarantees are

available for all foreigners in the cases of expulsion and deportation. In general, when a request for refugee status has been rejected, applicants have seven days to exercise their right to appeal said decision before the competent authority. There is no information about whether reasoned decisions must be provided.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 15.

**Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):**

Answer: yes

Code: 1

Explanation: Legal guarantees are available to refugees only in the cases of refusal of status, with no guarantees specified for the process of withdrawal. It is however important to note that guarantees are available for all foreigners in the cases of expulsion and deportation. In general, when a request for refugee status has been rejected, applicants have seven days to exercise their right to appeal said decision before the competent authority.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 15.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):**

Answer: no

Code: 0

Explanation: Legal guarantees are available to refugees only in the cases of refusal of status, with no guarantees specified for the process of withdrawal. It is however important to note that guarantees are available for all foreigners in the cases of expulsion and deportation. In general, when a request for refugee status has been rejected, applicants have seven days to exercise their right to appeal said decision before the competent authority. There is no information about whether reasoned decisions must be provided.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 15.

**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: no



Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):**

Answer: no

Code: 0

Explanation: No provisions were found that specify legal guarantees for residents (or their dependents) in the cases of refusal or withdrawal of status, with guarantees being available only in the cases of expulsion or deportation.

Sources: Ley N° 285 [Law 285]. 2004. Art. 137 and 138. / Decreto N° 631-11 [Decree 631-11]. 2011.

#### **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: No provision was found, neither in the refugee, the migration law, its regulation or on the websites of the Ministry of Foreign Affairs that makes clear when exactly does the dependent nature of the temporary residence permit, as specified in the DPM entry visa requirements, end. While there is nothing preventing dependents from applying to a regular temporary residence permit if the requirements are satisfied, no explicit right to do so was found.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

##### **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: no right

Code: 0

Explanation: No provision was found, neither in the refugee, the migration law, its regulation or on the websites of the Ministry of Foreign Affairs that makes clear when exactly does the dependent nature of the temporary residence permit, as specified in the DPM entry visa requirements, end. While there is nothing preventing dependents from applying to a regular temporary residence permit if the requirements are satisfied, no explicit right to do so was found.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

**Right to autonomous residence permit for partners and children at age of majority (medical doctors):**

Answer: no right

Code: 0

Explanation: No provision was found, neither in the refugee, the migration law, its regulation or on the websites of the Ministry of Foreign Affairs that makes clear when exactly does the dependent nature of the temporary residence permit, as specified in the DPM entry visa requirements, end. While there is nothing preventing dependents from applying to a regular temporary residence permit if the requirements are satisfied, no explicit right to do so was found.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de dependencia múltiple [Requirements to Obtain the Multiple Dependent Visa]". Accessed September 11, 2019. <http://mirex.gob.do/servicios/visa-de-dependencia-multiple>.

**Right to autonomous residence permit for partners and children at age of majority (permanent residents):**

Answer: no answer

Code: Not applicable

Explanation: No provision was found, neither in the refugee, the migration law, its regulation or on the websites of the Ministry of Foreign Affairs that explicitly grants dependents the right to apply for an independent permit. However, there is also nothing preventing them to do so.

Sources: Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984. / Decreto N° 631-11 [Decree 631-11]. 2011. / Ministerio de Relaciones Exteriores República Dominicana. "Requisitos de visa de residencia [Residence Visa Requirements]". Accessed September 11, 2019. <http://www.mirex.gob.do/servicios/visa-de-residencia>.

## 5.4.2. Education

### IMMIGRANT\_45: Access to education.

#### Children of asylum seekers have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is an implicit right to compulsory education for all children in the Dominican Republic, regardless of their legal residency status. The constitution explicitly states that all foreigners inside the Dominican Republic will have the same rights and obligations as nationals, respecting the exemptions made in the constitution and Dominican laws. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for legal migrants. Since the constitution establishes education as a right and makes the guaranteeing of compulsory education a duty of the state, with no exemptions or requirements beyond having legal migratory status found in the migration or education laws, an implicit right to compulsory education applies to all children bearing a legal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 69-97 [Law 69-97]. 1997.

#### Children of refugees have access to compulsory education:

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is an implicit right to compulsory education for all children in the Dominican Republic, regardless of their legal residency status. The constitution explicitly states that all foreigners inside the Dominican Republic will have the same rights and obligations as nationals, respecting the exemptions made in the constitution and Dominican laws. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for legal migrants. Since the constitution establishes education as a right and makes the guaranteeing of compulsory education a duty of the state, with no exemptions or requirements beyond having legal migratory status found in the migration or education laws, an implicit right to compulsory education applies to all children bearing a legal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 69-97 [Law 69-97]. 1997.

#### 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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Children of agricultural workers have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is an implicit right to compulsory education for all children in the Dominican Republic, regardless of their legal residency status. The constitution explicitly states that all foreigners inside the Dominican Republic will have the same rights and obligations as nationals, respecting the exemptions made in the constitution and Dominican laws. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for legal migrants. Since the constitution establishes education as a right and makes the guaranteeing of compulsory education a duty of the state, with no exemptions or requirements beyond having legal migratory status found in the migration or education laws, an implicit right to compulsory education applies to all children bearing a legal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 69-97 [Law 69-97]. 1997.

**Children of medical doctors have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is an implicit right to compulsory education for all children in the Dominican Republic, regardless of their legal residency status. The constitution explicitly states that all foreigners inside the Dominican Republic will have the same rights and obligations as nationals, respecting the exemptions made in the constitution and Dominican laws. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for legal migrants. Since the constitution establishes education as a right and makes the guaranteeing of compulsory education a duty of the state, with no exemptions or requirements beyond having legal migratory status found in the migration or education laws, an implicit right to compulsory education applies to all children bearing a legal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 69-97 [Law 69-97]. 1997.

### **Children of permanent residents have access to compulsory education:**

Answer: yes, implicit obligation for all children to access education

Code: 0.5

Explanation: There is an implicit right to compulsory education for all children in the Dominican Republic, regardless of their legal residency status. The constitution explicitly states that all foreigners inside the Dominican Republic will have the same rights and obligations as nationals, respecting the exemptions made in the constitution and Dominican laws. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for legal migrants. Since the constitution establishes education as a right and makes the guaranteeing of compulsory education a duty of the state, with no exemptions or requirements beyond having legal migratory status found in the migration or education laws, an implicit right to compulsory education applies to all children bearing a legal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 69-97 [Law 69-97]. 1997.

### **IMMIGRANT\_46: Access to higher education.**

#### **Asylum seekers and their children have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals (implicit obligation?)

Code: 1

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status. However, I specify that this equal access is valid for resident migrants, since when going beyond undergraduate programs and thinking about the requirements of graduate studies, namely the recognition of a higher education degree by the UASD, only migrants with residence permit will be able to access said recognition procedure. Therefore, asylum seekers are barred from access to graduate higher education

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD. "Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

#### **Refugees have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD. "Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

#### **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: Not applicable

Code: Not applicable

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD.



"Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

### **Agricultural workers have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD. "Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

### **Medical doctors have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD. "Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

### **Permanent residents have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Following the Constitution and the Migration law establishing equal access to education for legal foreigners inside the Dominican Republic, which includes higher education as per the Constitution, and having found no explicit restrictions for Migrants regarding access to higher education in the Higher Education Law, nor the current statutes of the Dominican Republic's public university, the Autonomous University of Santo Domingo (UASD), I concluded that implicit equal access to higher education for resident migrants is given. This is furthermore confirmed by the admission requirements for foreigners established by the UASD, which establish procedures of admission for both foreigners with foreign and national high school education diplomas that do not require the presentation of any document specifying migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 25 and 63. / Ley N° 285 [Law 285]. 2004. Art. 22. / Ley N° 139-01 [Law 139-01]. 2001. / Estatuto Orgánico de La Universidad Autónoma de Santo Domingo. [Organic Statute of the Autonomous University of Santo Domingo]. 2012 / UASD. "Requisitos para admisiones de extranjeros con estudios en RD. [Admission requirements for foreigners with studies in the DR]". Accessed September 13, 2019. [https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos\\_admisiones](https://uasd.edu.do/files/ADMISIONES/descargables/Requisitos_admisiones). / UASD. "Requisitos para admisiones de extranjeros con estudios en el extranjero. [Admission requirements for foreigners with studies abroad]". Accessed September 13, 2019. <https://uasd.edu.do/fi>.

#### **IMMIGRANT\_47: Support for language instruction.**

##### **Provision of education support in language(s) of instruction for migrant pupils:**

Answer: no

Code: 0

Explanation: No such provision guaranteeing other languages of instruction beyond Spanish were found in the Education and Migration Laws of the Dominican Republic. Furthermore, while there are provisions that make foreign languages part of the compulsory Dominican curriculum, these are understood as secondary languages, and evidence of implementation, in the case of English in Dominican schools for example, makes clear that public language programs are still in their initial phases.

Sources: Ley N° 285 [Law 285]. 2004. / Ley N° 69-97 [Law 69-97]. 1997. / Hoy Digital. "Profesores afirman falta de aprendizaje del inglés en escuelas crea desigualdad en RD [School Teachers Claim that Lack of English Language Classes in Schools Creates Inequality in the DR]. Accessed September 12, 2019. <https://hoy.com.do/profesores-afirman-falta-de-aprendizaje-del-ingles-en-escuelas-crea-desigualdad-en-rd/>.

#### **IMMIGRANT\_48: Intercultural education.**

##### **Intercultural education is included in pre-service training in order to qualify as a teacher:**

Answer: no

Code: 0

Explanation: No evidence of a requirement of courses regarding specific training that addresses migrant pupils needs was found, neither in the education law, the specific curriculum for basic and

intermediate education degrees thought at the public university of the Dominican Republic, the Autonomous University of Santo Domingo (UASD), nor on the publications of the National Institute for the Education and Training of Schoolteachers (INAFOCAM).

Sources: Ley N° 69-97 [Law 69-97]. 1997. / Congreso Nacional. 1997. Ley General de Educación - No. 66-97 [General Education Law]. / UASD. "Plan de estudios - educación infantil y básica [Curriculum – Early Childhood and Basic Education]". Accessed September 12, 2019. [https://soft2.uasd.edu.do/desc\\_carreras/?periodoV=999999&programa=P-EDBA&plan=201420&valor=R&lugar=2](https://soft2.uasd.edu.do/desc_carreras/?periodoV=999999&programa=P-EDBA&plan=201420&valor=R&lugar=2). / UASD. "Plan de estudios – educación media [Curriculum – Medium Education]". Accessed September 12, 2019. [https://soft2.uasd.edu.do/desc\\_carreras/?periodoV=999999&programa=P-EMMI&plan=201420&valor=R&lugar=2](https://soft2.uasd.edu.do/desc_carreras/?periodoV=999999&programa=P-EMMI&plan=201420&valor=R&lugar=2). / INAFOCAM. "Instituto Nacional de Formación y Capacitación Del Magisterio | Publicaciones [National Institute for the Education and Training of Schoolteachers – Publications]". Accessed September 12, 2019. <http://www.inafocam.edu.do/transparencia/index.php/publicaciones-t>.

#### **IMMIGRANT\_49: Integration in teachers' syllabus.**

**Migration and integration are obligatory topics in professional development training:**

Answer: no

Code: 0

Explanation: No evidence of a requirement of professional development courses covering topics such as integration or migration was found, neither in the education law, the publications of the National Institute for the Education and Training of Schoolteachers (INAFOCAM) nor on the latest strategy, vision and improvement plan regarding the continuous training of schoolteachers as established in the Continuous Training Framework developed by INAFOCAM in 2013. It is important to note however, that evidence has been found of voluntary access workshops provided by the National Migration Institute on improving the didactic strategies to teach the topics of migration and human rights.

Sources: Ley N° 69-97 [Law 69-97]. 1997. / INAFOCAM. "Instituto Nacional de Formación y Capacitación Del Magisterio | Publicaciones [National Institute for the Education and Training of Schoolteachers – Publications]". Accessed September 12, 2019. <http://www.inafocam.edu.do/transparencia/index.php/publicaciones-t>. / INAFOCAM. "Marco de Formación Continua [Continuous Training Framework]". Accessed September 12, 2019. <http://www.inafocam.edu.do/transparencia/phocadownload/Publicaciones/EFCCE/Marco%20de%20Formacion%20Continua.pdf>. / Instituto Nacional de Migración. "Estrategias pedagógicas para la capacitación en materia migratoria y derechos humanos [Teaching Strategies for the Training in Migration and Human Rights Topics]". Accessed September 14, 2019. <http://inm.gob.do/index.php/noticias/item/473-estrategias-pedagogicas-para-la-capacitacion-en-materia-migratoria-y-derechos-humanos>.

### **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: no inclusion

Code: 0

Explanation: The law states that only Dominicans and foreign citizens residing legally in the national territory can have access to the health care coverage under the Dominican Social Security system. While a 2015 resolution of the National Social Security Council makes clear that every foreigner with a regular migratory status has a right to access the Social Security System, dismissing the previous interpretation that only permanent residents had access to it, inclusion is still made through an employer, meaning a working permit is needed to access health care coverage. This means that Asylum seekers, bearers of a temporary 60-day permit that does not allow them to work, cannot access the health care coverage and as a matter of fact, the entire Dominican Social Security system at all (including pension schemes for example).

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5. / Decreto N° 2330 [Decree 2330]. 1984. Art. 9. / Resolución N° 377 [Resolution 377]. 2015.

#### **Conditions for inclusion of refugees in the health care system:**

Answer: some conditions for inclusion (e.g. length of stay)

Code: 0.5

Explanation: While refugee status is not dependent on employment, access to the Social Security System is, with all affiliation regimes being dependent on a source of employment. As such, refugees would need to find an employment source to access the health care coverage scheme as temporary residents.

Sources: Decreto N° 2330 [Decree 2330]. 1984. Art. 6. / Resolución N° 377 [Resolution 377]. 2015. First and third. / Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 7.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Conditions for inclusion of agricultural workers in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: All temporary and permanent resident are included in the health care coverage scheme of the National Social Security System. Employment is required, but either a dependent employment relationship or auto-employment are conditions required to be temporary and permanent residents in the first place.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 7. / Resolución N° 377 [Resolution 377]. 2015. First.

**Conditions for inclusion of medical doctors in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: All temporary and permanent resident are included in the health care coverage scheme of the National Social Security System. Employment is required, but either a dependent employment relationship or auto-employment are conditions required to be temporary and permanent residents in the first place.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 7. / Resolución N° 377 [Resolution 377]. 2015. First.

**Conditions for inclusion of permanent residents in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: All temporary and permanent resident are included in the health care coverage scheme of the National Social Security System. Employment is required, but either a dependent employment relationship or auto-employment are conditions required to be temporary and permanent residents in the first place.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 7. / Resolución N° 377 [Resolution 377]. 2015. First.

**IMMIGRANT\_51: Coverage of health care services.**

**Health care coverage for asylum seekers.**

Answer: emergency care only

Code: 0.5

Explanation: Not applicable

Sources: Not applicable

**Health care coverage for refugees.**

Answer: same coverage as nationals

Code: 1

Explanation: The Social Security Law clearly states that all foreign legal residents and their dependents are beneficiaries of the Health Care Coverage Scheme, which includes the right to health promotion, sickness prevention, and the protection and rehabilitation of their health, making no distinction between nationals and foreigners on the extent of the coverage.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Health care coverage for agricultural workers.**

Answer: same coverage as nationals

Code: 1

Explanation: The Social Security Law clearly states that all foreign legal residents and their dependents are beneficiaries of the Health Care Coverage Scheme, which includes the right to health promotion, sickness prevention, and the protection and rehabilitation of their health, making no distinction between nationals and foreigners on the extent of the coverage.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

#### **Health care coverage for medical doctors.**

Answer: same coverage as nationals

Code: 1

Explanation: The Social Security Law clearly states that all foreign legal residents and their dependents are beneficiaries of the Health Care Coverage Scheme, which includes the right to health promotion, sickness prevention, and the protection and rehabilitation of their health, making no distinction between nationals and foreigners on the extent of the coverage.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

#### **Health care coverage for permanent residents.**

Answer: same coverage as nationals

Code: 1

Explanation: The Social Security Law clearly states that all foreign legal residents and their dependents are beneficiaries of the Health Care Coverage Scheme, which includes the right to health promotion, sickness prevention, and the protection and rehabilitation of their health, making no distinction between nationals and foreigners on the extent of the coverage.

Sources: Ley N° 87-01 [Law 87-01]. 2001. Art. 5.

### **5.4.4. Unemployment benefits**

#### **IMMIGRANT\_52: Unemployment benefits.**

##### **Access of asylum seekers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: The Dominican Republic does not have unemployment benefits derived from what is traditionally understood as an unemployment insurance scheme, with one being debated to replace the current compensation-based regime, which forces and employer to pay a specific sum based on the years worked to a fired employee. The right to a compensation for being fired is however applicable to all foreigners with a working permit, as established by the migration law, which grants these the enjoyment of the protection of the national labor and social laws.

Sources: El Día. "En el país no existen condiciones para cambiar la cesantía laboral [The Conditions to Change the Compensation-Based Regime in the Country Do Not Exist]". Accessed September 13, 2019. <https://eldia.com.do/en-el-pais-no-existen-condiciones-para-cambiar-la-cesantia-laboral/>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 80. / Ley N° 285 [Law 285]. 2004. Art. 26.

##### **Access of refugees to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: The Dominican Republic does not have unemployment benefits derived from what is traditionally understood as an unemployment insurance scheme, with one being debated to replace the current compensation-based regime, which forces and employer to pay a specific sum based on

the years worked to a fired employee. The right to a compensation for being fired is however applicable to all foreigners with a working permit, as established by the migration law, which grants these the enjoyment of the protection of the national labor and social laws.

Sources: El Día. “En el país no existen condiciones para cambiar la cesantía laboral [The Conditions to Change the Compensation-Based Regime in the Country Do Not Exist]”. Accessed September 13, 2019. <https://eldia.com.do/en-el-pais-no-existen-condiciones-para-cambiar-la-cesantia-laboral/>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 80. / Ley N° 285 [Law 285]. 2004. Art. 26.

#### **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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Access of agricultural workers to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: The Dominican Republic does not have unemployment benefits derived from what is traditionally understood as an unemployment insurance scheme, with one being debated to replace the current compensation-based regime, which forces and employer to pay a specific sum based on the years worked to a fired employee. The right to a compensation for being fired is however applicable to all foreigners with a working permit, as established by the migration law, which grants these the enjoyment of the protection of the national labor and social laws.

Sources: El Día. “En el país no existen condiciones para cambiar la cesantía laboral [The Conditions to Change the Compensation-Based Regime in the Country Do Not Exist]”. Accessed September 13, 2019. <https://eldia.com.do/en-el-pais-no-existen-condiciones-para-cambiar-la-cesantia-laboral/>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 80. / Ley N° 285 [Law 285]. 2004. Art. 26.

#### **Access of medical doctors to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97



Explanation: The Dominican Republic does not have unemployment benefits derived from what is traditionally understood as an unemployment insurance scheme, with one being debated to replace the current compensation-based regime, which forces and employer to pay a specific sum based on the years worked to a fired employee. The right to a compensation for being fired is however applicable to all foreigners with a working permit, as established by the migration law, which grants these the enjoyment of the protection of the national labor and social laws.

Sources: El Día. "En el país no existen condiciones para cambiar la cesantía laboral [The Conditions to Change the Compensation-Based Regime in the Country Do Not Exist]". Accessed September 13, 2019. <https://eldia.com.do/en-el-pais-no-existen-condiciones-para-cambiar-la-cesantia-laboral/>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 80. / Ley N° 285 [Law 285]. 2004. Art. 26.

#### **Access of permanent residents to unemployment benefits as compared to citizen residents:**

Answer: no unemployment benefits

Code: 97

Explanation: The Dominican Republic does not have unemployment benefits derived from what is traditionally understood as an unemployment insurance scheme, with one being debated to replace the current compensation-based regime, which forces and employer to pay a specific sum based on the years worked to a fired employee. The right to a compensation for being fired is however applicable to all foreigners with a working permit, as established by the migration law, which grants these the enjoyment of the protection of the national labor and social laws.

Sources: El Día. "En el país no existen condiciones para cambiar la cesantía laboral [The Conditions to Change the Compensation-Based Regime in the Country Do Not Exist]". Accessed September 13, 2019. <https://eldia.com.do/en-el-pais-no-existen-condiciones-para-cambiar-la-cesantia-laboral/>. / Ley N° 16-92 [Law 16-92]. 1992. Art. 80. / Ley N° 285 [Law 285]. 2004. Art. 26.

### **5.4.5. Retirement benefits**

#### **IMMIGRANT\_53: Retirement benefits.**

##### **Access of asylum seekers to retirement benefits as compared to citizen residents:**

Answer: no access

Code: 0

Explanation: Not applicable

Sources: Not applicable

##### **Access of refugees to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal mandatory access. The Social Security Law makes clear that all workers in general, both dependent and independent, will have access to the national retirement pension scheme, with an obligatory nature established for dependent workers, making no distinction between migrant and national workers. Furthermore, as the migration law states, all foreigners with a working permit are granted the enjoyment of the protection of the national labor and social laws, making temporary residents subject to this provision.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 36.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Access of agricultural workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal mandatory access. The Social Security Law makes clear that all workers in general, both dependent and independent, will have access to the national retirement pension scheme, with an obligatory nature established for dependent workers, making no distinction between migrant and national workers. Furthermore, as the migration law states, all foreigners with a working permit are granted the enjoyment of the protection of the national labor and social laws, making temporary residents subject to this provision.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 36.

**Access of medical doctors to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal mandatory access. The Social Security Law makes clear that all workers in general, both dependent and independent, will have access to the national retirement pension

scheme, with an obligatory nature established for dependent workers, making no distinction between migrant and national workers. Furthermore, as the migration law states, all foreigners with a working permit are granted the enjoyment of the protection of the national labor and social laws, making temporary residents subject to this provision.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26. / Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 36.

#### **Access of permanent residents to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: The Social Security Law makes clear that all workers in general, both dependent and independent, will have access to the national retirement pension scheme, with an obligatory nature established for dependent workers, making no distinction between migrant and national workers. Furthermore, as the migration law states, all foreigners with a working permit are granted the enjoyment of the protection of the national labor and social laws, making permanent residents subject to this provision. It is however important to note that an exception exists to the mandatory nature of the regime in the cases of self-employed permanent residents, as they are the only migratory category to be able to do so.

Sources: Ley N° 285 [Law 285]. 2004. Art. 26 and 98. / Ley N° 87-01 [Law 87-01]. 2001. Art. 5 and 36.

## **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: No provision specifying funding for or evidence of a program of bilingual education for majoritarian migrant groups was found, neither in the education law or the migration laws.

Sources: Ley N° 285 [Law 285]. 2004. / Ley N° 66-97 [Law 66-97]. 1997. Art. 39. / Hoy Digital. "Profesores afirman falta de aprendizaje del inglés en escuelas crea desigualdad en RD [School Teachers Claim that Lack of English Language Classes in Schools Creates Inequality in the DR]. Accessed September 12, 2019. <https://hoy.com.do/profesores-afirman-falta-de-aprendizaje-del-ingles-en-escuelas-crea-desigualdad-en-rd/>.

### **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: No provision establishing funding for media on main migrant group languages was found, neither in the migration law nor in the law and regulation of the Dominican Republic's Public Radio and Television Corporation (Corporación Estatal de Radio y Televisión – CERTV), the communication organ of the Dominican State that manages its media platforms.

Sources: Ley N° 285 [Law 285]. 2004. / Reglamento Ley N° 134-03 [Regulation Law 134-03]. 2004.

## **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: yes

Code: 1

Explanation: Yes. As part of the constitutional right to intimacy and personal honor, the inviolability of personal documents, messages or correspondence in any format is established, with exceptions made only for cases in which a court order has been issued. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for all legal migrants.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. Art. 22.

**Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: yes

Code: 1

Explanation: Yes. As part of the constitutional right to intimacy and personal honor, the inviolability of personal documents, messages or correspondence in any format is established, with exceptions made only for cases in which a court order has been issued. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for all legal migrants.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. Art. 22.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: yes

Code: 1

Explanation: Yes. As part of the constitutional right to intimacy and personal honor, the inviolability of personal documents, messages or correspondence in any format is established, with exceptions made only for cases in which a court order has been issued. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for all legal migrants.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. Art. 22.

**Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: yes

Code: 1

Explanation: Yes. As part of the constitutional right to intimacy and personal honor, the inviolability of personal documents, messages or correspondence in any format is established, with exceptions made only for cases in which a court order has been issued. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for all legal migrants.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. Art. 22.

**Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: yes

Code: 1

Explanation: Yes. As part of the constitutional right to intimacy and personal honor, the inviolability of personal documents, messages or correspondence in any format is established, with exceptions made only for cases in which a court order has been issued. In turn, the Migration law states that all foreigners authorized to remain in national territory will have access to the same fundamental rights as nationals, making clear that this provision is valid for all legal migrants.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. Art. 22.

## 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: No restrictions were found in the main regulations for a migrant's right to mobility, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**Do refugees have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: No restrictions were found in the main regulations for a migrant's right to mobility, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: No restrictions were found in the main regulations for a migrant's right to mobility, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**Do medical doctors have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: No restrictions were found in the main regulations for a migrant's right to mobility, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**Do permanent residents have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: No restrictions were found in the main regulations for a migrant's right to mobility, with the constitution establishing the right to freedom of movement and granting it to all people present inside the national territory.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**IMMIGRANT\_58: Freedom to move outside the country.**

**Do asylum seekers have the right to leave the country?**

Answer: yes

Code: 1

Explanation: No restrictions were found in the main regulation regarding mobility rights, with the constitution establishing the right to freedom of movement, including exit from the country, and granting it to all people present inside the national territory, thus applying to refugees, residents and asylum seekers.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**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: No restrictions were found in the main regulation regarding mobility rights, with the constitution establishing the right to freedom of movement, including exit from the country, and granting it to all people present inside the national territory, thus applying to refugees, residents and asylum seekers.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**Number of months of absence allowed per year (refugees):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**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: yes

Code: 1

Explanation: No restrictions were found in the main regulation regarding mobility rights, with the constitution establishing the right to freedom of movement, including exit from the country, and granting it to all people present inside the national territory, thus applying to refugees, residents and asylum seekers.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**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: yes

Code: 1

Explanation: No restrictions were found in the main regulation regarding mobility rights, with the constitution establishing the right to freedom of movement, including exit from the country, and granting it to all people present inside the national territory, thus applying to refugees, residents and asylum seekers.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 44. / Ley N° 285 [Law 285]. 2004. / Decreto N° 2330 [Decree 2330]. 1984.

**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: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (permanent residents):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **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: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**Do refugees have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**Do medical doctors have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**Do permanent residents have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: There is no compulsory military service in the Dominican Republic, as entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

### **5.6.5. Social service**

**IMMIGRANT\_60: Social service.**

**Do asylum seekers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: There is no compulsory military service nor a social service alternative in the Dominican Republic. Entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**Do refugees have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: There is no compulsory military service nor a social service alternative in the Dominican Republic. Entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: There is no compulsory military service nor a social service alternative in the Dominican Republic. Entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

**Do medical doctors have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: There is no compulsory military service nor a social service alternative in the Dominican Republic. Entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

#### **Do permanent residents have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: There is no compulsory military service nor a social service alternative in the Dominican Republic. Entering the Armed Forces is of a voluntary nature during peacetime.

Sources: Ley N° 139-13 [Law 139-13]. 2013. Art. 96.

### **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: Yes, as long as they possess a revenue source inside the Dominican Republic. The tax law establishes that non-residents are subject to taxation from their Dominican income sources, such as a business establishment for example. They are not however subject to taxation if they lack this national income source or if their income source is of foreign origin.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 270.

#### **Do refugees have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes, both on national and foreign sourced income. For all foreigners residing in the Dominican Republic, except when exceptions are provided, the tax law establishes that income taxes have to be paid for all rents originating in the Dominican Republic, and even on those rents from foreign origin that constitute the results of investments and financial gains.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269.

**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: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes, both on national and foreign sourced income. For all foreigners residing in the Dominican Republic, except when exceptions are provided, the tax law establishes that income taxes have to be paid for all rents originating in the Dominican Republic, and even on those rents from foreign origin that constitute the results of investments and financial gains.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269.

**Do medical doctors have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes, both on national and foreign sourced income. For all foreigners residing in the Dominican Republic, except when exceptions are provided, the tax law establishes that income taxes have to be paid for all rents originating in the Dominican Republic, and even on those rents from foreign origin that constitute the results of investments and financial gains.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269.

**Do permanent residents have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: Yes, both on national and foreign sourced income. For all foreigners residing in the Dominican Republic, except when exceptions are provided, the tax law establishes that income taxes have to be paid for all rents originating in the Dominican Republic, and even on those rents from foreign origin that constitute the results of investments and financial gains.

Sources: Ley N° 11-92 [Law 11-92]. 1992. Art. 269.

## 5.7. Administration

**IMMIGRANT\_62: Existence of immigrant integration agency in state of reception.**

**Existence of institution/agency with competencies for immigrant policies:**

Answer: no

Code: 0

Explanation: No provision creating an immigrant integration agency was found in the main regulations, neither in the constitution, the migration law nor its regulation. Immigrants and their concerns are not represented in the main migration policy-making bodies such as the National Migration Council. While the constitution does refer to integration, this is in reference to integrating the Dominican diaspora with their country of origin by means of public policy.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18. / Ley N° 285 [Law 285]. 2004. Art. 8 and 9. / Decreto N° 631-11 [Decree 631-11]. 2011.

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

Answer: Not applicable

**Name of the institution with competencies for immigrant policies in English:**

Answer: Not applicable

**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: Yes. The law establishes the Ombudsperson (Defensor del Pueblo) of the Dominican Republic as the independent authority responsible for defending the rights of citizens guaranteed in the constitution in the face of the violation of these by public administration officials. It furthermore



makes clear that, for the formulation of a complaint, there will be no discrimination based on nationality and any document of identification will be accepted. If there is no identification document, a third party with said document can vouch for the defendant.

Sources: Ley N° 19-01 [Law 19-01]. 2001. Art. 1, 12 and 19.

## 6. Immigrant citizenship and nationality

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### 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: No. No provision was found, neither in the Constitution, the naturalization law nor in the naturalization requirements posted by the Ministry of the Interior, to renounce their previous citizenship.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Ministerio de Interior y Policía. "Requisitos para la naturalización ordinaria [Requirements for Ordinary Naturalization]". Access date not available. <https://mip.gob.do/index.php/requisitos-ordinarios>.

**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. The constitution guarantees a right to dual nationality in the case of all Dominicans, making no distinction between those naturalized and those who were born citizens

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 20.

### **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: Authorities have arbitrary power to withdraw citizenship

Code: 0

Explanation: Yes. Naturalized citizens can lose their nationality by residing abroad, either by establishing their main place of residence outside of the national territory within their first year as naturalized citizens or by leaving the country and not returning for a period of 10 years or longer.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

**After how many years abroad?**

Answer: 10

Code: 10

Explanation: Naturalized citizens can lose their nationality by residing abroad and not returning for a period of 10 years or longer.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 12.

#### **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: No

Code: 0

Explanation: If a child is born to foreign nationals residing in the Dominican Republic, they need to have a specific migratory status, namely that of resident, be it permanent or temporary. This is because the constitution exempts the children of foreign diplomats and all foreigners “in transit” or with an illegal migratory status from the right to jus soli, with the “in transit” category including nonresidents. This essentially means that one, as a foreigner, will have to be under the two remaining migratory categories, permanent or temporary resident, for jus soli to be effective.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18. / Decreto N° 631-11 [Decree 631-11]. 2011. Art. 68. / Ley N° 285 [Law 285]. 2004. Art. 29 and 31.

#### **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: Yes

Code: 1

Explanation: Children born to foreign parents in Dominican territory are also considered Dominicans, unless they fall under any of the exemptions established by the constitution, namely being born to foreign diplomats, foreigners “in transit” or foreigners with an illegal migratory status.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18.

### 6.1.6. Standard naturalization procedure for immigrants due to residence

#### 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 residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic. While the original naturalization law merely states that foreigners had to have resided without interruption for 2 years inside the Dominican Republic, the Ministry of the Interior has clarified via an administrative resolution that these 2 years are meant to be 2 years residing with a permanent residence permit. This has important implications, because for the cases in which permanent residence is acquired on the basis of a previous temporary residence permit, applicants need to have resided under said document for a period of 5 years, bringing the actual residency requirement for naturalization to a total of 7 years.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

#### **Number of years of residence required for naturalization:**

Answer: 7

Code: 7

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic. While the original naturalization law merely states that foreigners had to have resided without interruption for 2 years inside the Dominican Republic, the Ministry of the Interior has clarified via an administrative resolution that these 2 years are meant to be 2 years residing with a permanent residence permit. This has important implications, because for the cases in which permanent residence is acquired on the basis of a previous temporary residence permit, applicants need to have resided under said document for a period of 5 years, bringing the actual residency requirement for naturalization to a total of 7 years.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

#### **Number of continuous years of residence required for naturalization:**

Answer: 7

Code: 7

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic. While the original naturalization law merely states that foreigners had to have resided without interruption for 2 years inside the Dominican Republic, the Ministry of the Interior has clarified via an administrative resolution that these 2 years are meant to be 2 years residing with a permanent residence permit. This has important implications, because for the cases in which permanent residence is acquired on the basis of a previous temporary residence permit, applicants need to have resided under said document for a period of 5 years, bringing the actual residency requirement for naturalization to a total of 7 years.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

**Permanent residence status is required for naturalization:**

Answer: Yes

Code: 1

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic. While the original naturalization law merely states that foreigners had to have resided without interruption for 2 years inside the Dominican Republic, the Ministry of the Interior has clarified via an administrative resolution that these 2 years are meant to be 2 years residing with a permanent residence permit. This has important implications, because for the cases in which permanent residence is acquired on the basis of a previous temporary residence permit, applicants need to have resided under said document for a period of 5 years, bringing the actual residency requirement for naturalization to a total of 7 years.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

**Renunciation of previous nationality is required:**

Answer: No renunciation requirement

Code: 0

Explanation: No. No provision was found, neither in the Constitution, the naturalization law nor in the naturalization requirements posted by the Ministry of the Interior, to renounce their previous citizenship.

Sources: Ley N° 1683 [Law 1683]. 1948. / Ministerio de Interior y Policía. "Requisitos para la naturalización ordinaria [Requirements for Ordinary Naturalization]". Access date not available. <https://mip.gob.do/index.php/requisitos-ordinarios>.

**Language condition for naturalization:**

Answer: No language condition in the law

Code: 0

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

**Civil knowledge is a requisite for naturalization:**

Answer: No naturalization test or cultural assimilation condition

Code: 0

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

**Clean criminal record is a requisite:**

Answer: Absence of criminal sentences or misdemeanors punishable with 3 months or less (or equivalent penalty)

Code: 1

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic. Art. 6 of the Law 1683 establishes that applicants must show a clean criminal record expedited by official authorities.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

**Economic resources as requisite for naturalization:**

Answer: No requirement on income, employment, or welfare dependency

Code: 0

Explanation: Naturalization based on residence can be awarded to foreigners who have resided for more than 2 years as permanent residents in the Dominican Republic.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13. / Ley N° 631-11 [Law 631-11]. 2011. Art. 50.

### **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: While no provisions or naturalization regime specific to minors was found, it is not necessary to be over 18 to apply for any of the naturalization pathways in the law, including the one based on a 2-year permanent residency period. The naturalization law makes clear that a majority of age will not be necessary for naturalization, if the applicant were married (in general, not referring to marriage to a Dominican) or if an applicant with at least 16 years of age has the explicit permission of his or her parents or guardian. Dominican law seems, in general, to equal marriage with the capacity

to take decisions as an adult, with the constitution granting underage but married nationals citizenship rights.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 5. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 21.

### **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: No provisions were found in the main regulations regarding Naturalization that grant nationality on the basis of a long time of residence. The National Regularization Plan and the Special Naturalization Regime of 2014 also lacked any such provisions.

Sources: Ley N° 1683 [Law 1683]. 1948. / Resolución N° 26-18 [Resolution 26-18]. 2018. / Resolución N° 26-18 [Resolution 26-18]. 2018. / Decreto N° 327-13 [Decree 327-13]. 2013. / Ley N° 169-14 [Law 169-14]. 2014.

### **6.1.9. Preferential naturalization for immigrants from specific countries**

**IMNAT\_9: Preferential naturalization by country.**

**Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?**

Answer: No

Code: 0

Explanation: No provisions were found in the main regulations regarding naturalization that grant easier access to nationality on the basis of a specific nationality. It is important to note that the Special Naturalization Regime of 2014 also lacked any such provisions, granting easier access to naturalization to persons born inside the Dominican Republic to foreign, non-resident parents between 1929 - 2007 and either registered or not in the civil registry. While these were mostly people from Haitian descent, the law was itself not based on the condition of bearing any nationality but rather of birth inside the national territory.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Resolución N° 26-18 [Resolution 26-18]. 2018. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1.



#### **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: No provisions were found in the main regulations regarding Naturalization that grant easier access to nationality on the basis of a specific nationality. Furthermore, no evidence was found for the existence of a co-ethnic category in the Dominican Law which is relevant for citizenship or nationality purposes.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015.

#### **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: The constitution establishes that any person that marries a Dominican, provided they actively choose to acquire the nationality and fulfill the requirements established by the law, will be considered Dominican nationals. While the naturalization law establishes that the person must have lived in the national territory for 6 uninterrupted months if said applicant has married a Dominican, the latest resolution from the Ministry of the interior specifies an extra residence time of 2 years as a temporary resident in addition to residing 6 months in the country uninterrupted after having married a national. Furthermore, the marriage must have been valid for at least 1 year. These rules also apply if the applicant is marrying a naturalized Dominican national.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 18. / Ley N° 1683 [Law 1683]. 1948. Art. 1. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13, 14, 20 and 25.

#### **6.1.12. Filial transfer**

**IMNAT\_12: Filial transfer.**

**Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: The naturalization law makes clear that the children of naturalized citizens, both underage and over 18, can obtain naturalization. In the case of children under 18, there is no residence requirement established neither by the naturalization law nor the latest resolution of the Ministry of the Interior, with the former stipulating that children of naturalized citizens acquire said nationality simultaneously and as a virtue of the naturalization of the parent. IN the case of children over 18, the naturalization law does establish a 1-year residence requirement which the latest resolution from the Ministry of the Interior also upholds, requiring a temporary residence permit from applicants with a validity of at least one year.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 3 and 4. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 15.

### **6.1.13. Special naturalization for refugees**

**IMNAT\_13: Refugees.**

**Does the country facilitate the acquisition of nationality by a refugee in its territory?**

Answer: No

Code: 0

Explanation: No special provisions were found in the main regulations regarding naturalization or asylum that grant easier access to nationality on the basis of the refugee status. Since they are recognized as temporary residents however, they have access to naturalization through the residence-based path stipulated in the naturalization law.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 1. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Ley N° 285 [Law 285]. 2004. Art. 35.

### **6.1.14. Naturalization for special achievements/talents**

**IMNAT\_14: Special talents.**

**Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?**

Answer: Yes

Code: 1

Explanation: The naturalization law establishes a procedure to grant “privileged naturalization” to certain foreigners that are considered by the President of the Republic to be deserving of being

exempted of the normal naturalization requirements thanks to either having provided eminent services to the Republic or having distinguished themselves for having provided outstanding services in benefit of humanity as a whole. These individuals are not subject to any substantial requirements. They only need to provide the Ministry of the Interior with some basic documents so as their naturalization to be properly registered.

Sources: Ley N° 1683 [Law 1683]. 1948. Art. 18.

### **6.1.15. Naturalization due to investment/financial assets**

**IMNAT\_15: Special talents.**

**Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?**

Answer: Yes

Code: 1

Explanation: The applicant must have invested USD 200,000.00 in the Dominican Republic and meet in addition to this, the requirements of naturalization by residency, meaning most importantly, having reached 2 years as a permanent resident. While this immigration pathway may thus seem quite burdensome, it is important to note that permanent residency as an investor is directly granted under the same investment conditions. As such, this naturalization procedure essentially represents the end of the migration track for investors who, after already having invested the USD 200,000.00 and having resided as such for a total of two years, wish to become Dominicans. Since they obtain permanent residency directly and not based on a previous temporary residency they effectively only need to wait 2 years to become citizens, not 7.

Sources: Resolución N° 26-18 [Resolution 26-18]. 2018. / Ley N° 631-11 [Law 631-11]. 2011. Art. 54 and 55. / Ley N° 1683 [Law 1683]. 1948.

### **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. Neither the Naturalization Law nor the latest resolution from the Ministry of the Interior mention naturalization pathways covering relatives that are not spouses or children. The constitution also does not mention the extension to Dominican citizenship other than to spouses and children.

Sources: Ley N° 1683 [Law 1683]. 1948. / Resolución N° 26-18 [Resolution 26-18]. 2018. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015.

### 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 provisions were found designating a specific immigration pathway for the naturalization of stateless persons, neither in the constitution, the naturalization law nor the resolution of the Ministry of the Interior. The only possible option for a stateless person to start the pathway towards becoming a citizen is by becoming a recognized refugee, since this status does not require being the bearer of a nationality and grants temporary residence. The National Regularization Plan did provide a pathway to nationality, via the special naturalization regime of the Law. No. 169-14, for those stateless as a result of the 2013 ruling of the Constitutional Court. However, this was restricted to those born inside the Dominican Republic to foreign, non-resident parents between 1929 – 2007 and has furthermore ceased to operate.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Resolución N° 26-18 [Resolution 26-18]. 2018. / Decreto N° 2330 [Decree 2330]. 1984. Art. 6. / Ley N° 285 [Law 285]. 2004. Art. 35. / Ley N° 169-14 [Law 169-14]. 2014. Art. 1. / Sentencia TC/0168/13 [Sentence TC/0168/13]. 2013. / CDN. “Plan nacional de regularización culminó con más de 200,000 inscritos [National Regularization Plan Completed with more than 200,000 Enrollees]”. Accessed August 12, 2019. <https://www.cdn.com.do/2018/08/27/plan-nacional-regularizacion-culmino-mas-200000-inscritos/>.

### 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 current naturalization legislation makes any distinction with regards to regularized individuals, either positive or negative.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Resolución N° 26-18 [Resolution 26-18]. 2018.

### **6.1.19. Naturalization possible even if applicant had irregular status before**

**IMNAT\_19: Irregular status.**

**Does the country 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 provision was found in current naturalization law granting a pathway to naturalization for any kind of irregular migrant, regardless of the time spent residing in the country. Even in cases of naturalization through marriage, regularization is not possible thanks to the established legal residency requirements.

Sources: Ley N° 1683 [Law 1683]. 1948. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. / Resolución N° 26-18 [Resolution 26-18]. 2018. Art. 13, 14, 20 and 25.

## **6.2. Immigrant citizenship**

### **6.2.1. Restrictions on citizenship for naturalized immigrants**

**IMCIT\_1: Restrictions for naturalized immigrants.**

**Does the country 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, they are limited in their passive electoral rights, independently of having a single or double nationality. The constitution establishes that naturalized persons will not be able to run for the presidency or the vice-presidency. They are also not under the obligation to take up arms in the name of the Dominican Republic against their state of origin. Furthermore, several waiting period limitations exist that prevent naturalized citizens from holding political positions until a certain amount of time has been reached: -They can be hold local elected charges, however only after having resided for 5 years in the jurisdiction linked to said post. They can only become Senators or Representatives in the Chamber of Deputies after having been nationals for 10 years and resided for 5 in the jurisdiction that elects their seat. They can be names as Ministers or Vice-ministers after having been nationals for 10 years.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

**For how long are the restrictions applied?**

Answer: Indefinitely

Code: 0

Explanation: The periods vary according to the position or are indefinite. The constitution establishes that naturalized persons will not be able to run for the presidency or the vice-presidency. They are also not under the obligation to take up arms in the name of the Dominican Republic against their state of origin. Furthermore, several waiting period limitations exist that prevent naturalized citizens from holding political positions until a certain amount of time has been reached: -They can be hold local elected charges, however only after having resided for 5 years in the jurisdiction linked to said post. They can only become Senators or Representatives in the Chamber of Deputies after having been nationals for 10 years and resided for 5 in the jurisdiction that elects their seat. They can be names as Ministers or Vice-ministers after having been nationals for 10 years.

Sources: Not applicable

### **Do the restrictions apply to electoral rights?**

Answer: Yes

Code: 1

Explanation: They are limited in their passive electoral rights, independently of having a single or double nationality. The constitution establishes that naturalized persons will not be able to run for the presidency or the vice-presidency. They are also not under the obligation to take up arms in the name of the Dominican Republic against their state of origin. Furthermore, several waiting period limitations exist that prevent naturalized citizens from holding political positions until a certain residence period has been reached: they can hold locally elected posts only after having resided for 5 years in the jurisdiction linked of the post. They can only become Senators or Representatives in the Chamber of Deputies after having been nationals for 10 years and resided for 5 in the jurisdiction that elects their seat. They can be named Ministers or Vice-ministers after having been nationals for 10 years.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

### **Do the restrictions apply to public office posts?**

Answer: Yes

Code: 1

Explanation: They are limited in their passive electoral rights, independently of having a single or double nationality. The constitution establishes that naturalized persons will not be able to run for the presidency or the vice-presidency. They are also not under the obligation to take up arms in the name of the Dominican Republic against their state of origin. Furthermore, several waiting period limitations exist that prevent naturalized citizens from holding political positions until a certain residence period has been reached: they can hold locally elected posts only after having resided for 5 years in the jurisdiction linked of the post. They can only become Senators or Representatives in the Chamber of Deputies after having been nationals for 10 years and resided for 5 in the jurisdiction that elects their seat. They can be named Ministers or Vice-ministers after having been nationals for 10 years.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

### **Other type of restrictions**

Answer: No

Code: 0

Explanation: They are mostly limited in their passive electoral rights.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

### **6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized**

#### **IMCIT\_2. Loss or suspension of citizenship.**

**Does the country 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: The deprivation applies not only to citizenship rights, but nationality itself. If naturalized citizens leave the country for 10 years without returning to the national territory or establish their place of residence abroad within their first year of having been naturalized, they can lose their nationality and their citizenship rights with it. This is consistent with the Constitution, that states the violation of the conditions under which naturalization was granted as a reason for the loss of citizenship rights.

Sources: Ley N° 15-19 [Law 15-19]. 2019. Art. 106, 110 and 112. / Ley N° 1683 [Law 1683]. 1948. Art. 12. / Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 24.

#### **Are these rights recovered upon return?**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Not applicable

### **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: There is no specific provision that restricts the combined condition of being naturalized and having a double nationality, with the specific restrictions for dual nationals being more lenient than those imposed to naturalized citizens. The restriction is thus by virtue of being naturalized, not being dual national. In the case of passive electoral rights, while naturalized citizens can never aspire to become presidents or vice-presidents, access to these offices is available to dual-nationals, provided they renounce their second nationality and a waiting and residence period of 10 years inside the national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. This is different from the case of naturalized citizens which must wait for a certain amount of time to occupy certain public positions. Thus, dual nationals by birth could have more rights than dual nationals who are Dominicans by naturalization.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

**How long do the restrictions apply?**

Answer: indefinitely

Code: 0

Explanation: There is no specific provision that restricts the combined condition of being naturalized and having a double nationality, with the specific restrictions for dual nationals being more lenient than those imposed to naturalized citizens. The restriction is thus by virtue of being naturalized, not being dual national. In the case of passive electoral rights, while naturalized citizens can never aspire to become presidents or vice-presidents, access to these offices is available to dual nationals, provided they renounce their second nationality and a waiting and residence period of 10 years inside the national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. This is different from the case of naturalized citizens which must wait for a certain amount of time to occupy certain public positions. Thus, dual nationals by birth could have more rights than dual nationals who are Dominicans by naturalization.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

**Do the restrictions apply to electoral rights?**

Answer: Yes

Code: 1

Explanation: There is no specific provision that restricts the combined condition of being naturalized and having a double nationality, with the specific restrictions for dual nationals being more lenient than those imposed to naturalized citizens. The restriction is thus by virtue of being naturalized, not being dual national. In the case of passive electoral rights, while naturalized citizens can never aspire to become presidents or vice-presidents, access to these offices is available to dual nationals, provided they renounce their second nationality and a waiting and residence period of 10 years inside the



national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. This is different from the case of naturalized citizens which must wait for a certain amount of time to occupy certain public positions. Thus, dual nationals by birth could have more rights than dual nationals who are Dominicans by naturalization

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

#### **Do the restrictions apply to public office post?**

Answer: Yes

Code: 1

Explanation: There is no specific provision that restricts the combined condition of being naturalized and having a double nationality, with the specific restrictions for dual nationals being more lenient than those imposed to naturalized citizens. The restriction is thus by virtue of being naturalized, not being dual national. In the case of passive electoral rights, while naturalized citizens can never aspire to become presidents or vice-presidents, access to these offices is available to dual nationals, provided they renounce their second nationality and a waiting and residence period of 10 years inside the national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. This is different from the case of naturalized citizens which must wait for a certain amount of time to occupy certain public positions. Thus, dual nationals by birth could have more rights than dual nationals who are Dominicans by naturalization

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.

#### **Other type of restrictions (beyond electoral and public office posts).**

Answer: No

Code: 0

Explanation: There is no specific provision that restricts the combined condition of being naturalized and having a double nationality, with the specific restrictions for dual nationals being more lenient than those imposed to naturalized citizens. The restriction is thus by virtue of being naturalized, not being dual national. In the case of passive electoral rights, while naturalized citizens can never aspire to become presidents or vice-presidents, access to these offices is available to dual nationals, provided they renounce their second nationality and a waiting and residence period of 10 years inside the national territory. Furthermore, the Constitution explicitly states that dual citizens, despite their limited access to the presidency, will be able to occupy other elected, ministerial or diplomatic positions without renouncing to their second citizenship. This is different from the case of naturalized citizens which must wait for a certain amount of time to occupy certain public positions. Thus, dual nationals by birth could have more rights than dual nationals who are Dominicans by naturalization.

Sources: Constitución de la República Dominicana [Constitution of the Dominican Republic]. 2015. Art. 19, 82, 135 and 201.