



## RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIRs](#) | [Help](#)

The Board		2 April 2009
About the Board	<b>CUB103126.FE</b>	
Biographies		
Organization Chart	Cuba: Procedures that people who are Cuban by birth must follow in order to apply for Cuban citizenship after losing it by obtaining the citizenship of another country	
Employment	Research Directorate, Immigration and Refugee Board of Canada, Ottawa	
Legal and Policy	Article 32 of the Constitution of the Republic of Cuba ( <i>Constitución de la República de Cuba</i> ) states that Cuba does not recognize dual citizenship; therefore, nationals who acquire the citizenship of another country lose their Cuban citizenship (Cuba 31 Jan. 2003). Articles 35 and 36 of Cuba's Citizenship Regulations ( <i>Reglamento de la Ciudadanía</i> ) set out the procedures for regaining Cuban citizenship:	
References	[translation]	
Publications	Art. 35. Every Cuban citizen by birth or naturalization who has lost Cuban citizenship after acquiring the citizenship of another country may regain Cuban citizenship by appearing before the civil registry official in the person's place of residence and indicating and registering the person's intention to regain Cuban citizenship. The person must show the document certifying the decision of the Minister of State (Ministro de Estado) to prove that Cuban citizenship was lost. The person must also declare his or her desire to regain Cuban citizenship and confirm his or her intention to re-establish residence in Cuba.	
Tribunal		
Refugee Protection Division		
Immigration Division		
Immigration Appeal Division		
Decisions		
Forms		
Statistics		
Research		
Research Program		
National Documentation Packages	One year after this initial appearance, the person must appear again before the civil registry official in his or her place of residence. The official will note in the certificate the person's initial appearance and confirmation of his or her intention to regain Cuban citizenship. The person must also swear that he or she is aware of the sanctions for failing to comply with the following rules: the person must establish residence in Cuba, must not leave Cuba for one year, must renounce his or her citizenship in the other country, and must respect the Constitution and laws of the Republic currently in force and those that will be enacted in the future.	
Issue Papers and Country Fact Sheets		
Responses to Information Requests		
Recent Research		
Media Centre		
News	Art. 36. Every person who regains Cuban citizenship may obtain the documents certifying this fact from the Minister of State. To obtain these documents, the person must meet the following conditions:	
Information Sheets		
Media Relations		
Proactive Disclosure	<ol style="list-style-type: none"> <li>1. submit an application in the prescribed form;</li> <li>2. submit the documents certified by the civil registry official stating the person's intention to regain Cuban citizenship;</li> <li>3. submit evidence of the person's residence in Cuba issued by the mayor of his</li> </ol>	

or her municipality (Alcalde Municipal). If the person lives in Havana, this document will be issued by the Chief of Police (capitán de la policía) in his or her place of residence. (Cuba 4 Feb. 1944)

A document published by the Cuban Ministry of Foreign Relations (Ministerio de Relaciones Exteriores de Cuba) reports that decree 358, establishing the regulations relating to Cuban citizenship and dating from 1944, was still in effect on 20 February 2009 (Cuba 20 Feb. 2009).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

### References

Cuba. 20 February 2009. Ministerio de Relaciones Exteriores de Cuba. *Sexto Informe de la República de Cuba al Comité contra el Terrorismo establecido en virtud de la Resolución 1373 (2001) del Consejo de Seguridad de la ONU*. <<http://www.cubaminrex.cu/Terroristas/Articulos/DenunciaDeCuba/2009-02-20-Sexto-Informe.html>> [Accessed 31 Mar. 2009]

\_\_\_\_\_. 31 January 2003. Ministerio de Relaciones Exteriores de Cuba. *Constitución de la República de Cuba*. <[http://www.cubaminrex.cu/mirar\\_cuba/La\\_isla/constitucion.htm](http://www.cubaminrex.cu/mirar_cuba/La_isla/constitucion.htm)> [Accessed 30 Mar. 2009]

\_\_\_\_\_. 4 February 1944. Ministerio de Relaciones Exteriores de Cuba. *Reglamento de Ciudadanía - Decreto # 358 del 4 de Febrero de 1944*. <<http://embacu.cubaminrex.cu/Default.aspx?tabid=3994>> [Accessed 30 Mar. 2009]

### Additional Source Consulted

**Oral source:** The Consular Section of the Embassy of Cuba in Ottawa did not respond to a request for information within time constraints.

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 [Top of Page](#)

[Important Notices](#)