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05 May 2004

DOM42562.E

Dominican Republic: Update to DOM36739.E of 7 June 2001 about whether a foreign national (as an employed foreigner in the country) would need a residence permit and therefore have the right to return and remain in the country; rights and obligations of a person who bears a residence permit (2003-April 2004)

Research Directorate, Immigration and Refugee Board, Ottawa

According to the legal Website of Guzman Ariza, a Dominican Republic law firm originally founded in 1927,

[f]oreigners wishing to live or work permanently in the Dominican Republic are required to obtain residency status. Obtaining permanent residency in the Dominican Republic is a three-step process:

1. First, the foreign national must apply for a residence visa at the Ministry of Foreign Affairs ("Secretaria de Estado de Relaciones Exteriores" [SEREX]).
2. Once the residence visa is obtained (usually three to four months from the application date), the applicant must file within the next two months for his provisional residency at the Immigration Department ("Direccion General de Migracion"). The procedure at Immigration usually takes another three to four months before provisional residency is granted for one year.
3. Finally, after the expiration of the provisional residency, the applicant may file for his permanent residency at the Immigration Department (1998-2004).

Various sources have reported that the national government provides residency visas (*visas de residencia*), provisional residency cards (*tarjetas de residencia provisional*), and permanent residency cards (*tarjetas de residencia definitiva*) to foreign nationals that are employed in the Dominican Republic (Pellerano and Herrera Oct. 1995 OAS n.d.; Guzman Ariza 1998-2004).

The Website for the Organization of American States, (OAS,) Inter-Sectoral Unit for Tourism Website presents, in Spanish, a detailed and lengthy list of official documents required in order to obtain a residency visa (n.d.). The list names documents such as the applicant's work contract, the Dominican Republic government form identified as Formulario 509-Ref., and a medical certificate from the applicant's country of origin (OAS n.d.). Once all the required documents are received by the SEREX, the process of obtaining the residency visa should be concluded within 10 to 12 weeks (ibid.). Sources also noted that a residency visa is subject to one entry (*una entrada*) as opposed to multiple entries (*entradas multiples*) that a student visa allows for, and is valid for 60 days (Dominican Republic n.d.; OAS n.d.).

Information about whether a foreign national with residency status would have the right to return to and remain in the country or information about the rights or obligations of a person who bears residency status could not be found among the sources consulted by the Research Directorate.

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 additional sources consulted in researching this Information Request.

References

Dominican Republic. n.d. Secretaria de Estado de Relaciones Exteriores (SEREX). "Categoria de visados." <http://www.serex.gov.do/espanol/visas_categoria.htm> [Accessed 27 Apr. 2004]

Guzman Ariza. 1998-2004. "Obtaining Residency Status in the Dominican Republic: An Overview." <<http://www.drllawyer.com/txt/articlesimm.html>> [Accessed 27 Apr. 2004]

Organization of American States (OAS). n.d. Inter-Sectoral Unit for Tourism. "Guia del extranjero en la Republica Dominicana." <<http://www.oas.org/TOURISM/incentives/dominican-republic.html>> [Accessed 28 Apr. 2004]

Pellerano and Herrera. October 1995. "Legislacion: Trabajo de un extrajano en la Republica Dominicana." <<http://www.phlaw.com/spanish/legal-news/sp/1995/10ci-oct95.php>> [Accessed 28 Apr. 2004]

Additional Sources Consulted

The Embassy of the Dominican Republic in Canada could not provide the information requested.

Internet sites: Dominican Republic - Direccion General de Migracion, Embassy of the Dominican Republic in Canada.



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