

## Chapter 2

# The Dominican Republic's migration landscape

*The Dominican Republic is a country of both emigration and immigration. An estimated 12% of its population currently resides abroad, while immigrants constitute about 4% of the population. The country benefits from a large volume of remittances, representing around 7% of its gross domestic product and easily exceeding foreign direct investment. This chapter paints a broad picture of the Dominican Republic's migration landscape, drawing from the literature, censuses and surveys. It gives a brief overview of the country's history of migration and current trends: its drivers and impacts, who the immigrants and emigrants are and where they have gone, how they remit and the impacts on their household and country. Finally, it lays out the legal, policy and institutional framework relevant to migration.*

**M**igration has constituted a fundamental part of the life and development of the Caribbean for centuries. From early forced movements of slave trade in the 18<sup>th</sup> and 19<sup>th</sup> century, to voluntarily and economically driven migration flows in the past century (Ferguson, 2003). Historically, the Dominican Republic has been a country of destination, with significant recruitment of immigrant workers from English-speaking Caribbean countries and Haiti to work in the Dominican sugar plantations. In more recent years, the country has shifted to becoming a net emigration country (OECD, 2009). Large-scale emigration began in the 1960s. In the wake of the assassination of Dictator Rafael Trujillo in 1961, social and political tensions spurred emigration to the United States, which continued in large numbers in the following decades. Between 1990 and 2000, the number of Dominicans in the United States nearly doubled, from 350 000 in 1990 to 879 000 in 2000 (MPI, 2014). At the same time, immigration has also remained a prominent feature in the Dominican Republic, and immigrants are estimated to constitute about 4% of the population. Haitian immigrants constitute the majority of immigrant in the country, at 79% (UN DESA, 2015).

The Dominican Republic has enjoyed relatively rapid growth and improvements in a number of key outcomes in recent years. The growth rates have been one of the strongest in the Latin America and the Caribbean (LAC) area, with an annual average of close to 7% in the 1990s and 5% in the 2000s. From 2014 and forward, the growth rate has accelerated again and the economy has been growing at a rate of 7% annually. Unemployment is low, at 2.7% in 2014 (OECD/ECLAC/CAF, 2016). At the same time, growth is not inclusive and poverty rates have not been declining at the same pace. The banking crises in 2003-04 resulted in one million Dominicans moving into poverty, and poverty rates touched 50% of the population in 2004. Poverty rates have slowly been falling as the economy recovered from the crises, and reached pre-crisis levels about one third of the population in 2015 (World Bank, 2016a). The high rate of economic growth, low oil prices, public investments in construction and schools and school meal programmes are factors believed to have contributed to the falling poverty rates in recent years. Inequality in the country has also improved in the period 2000-15 (World Bank, 2016a).

Despite the sustained growth and political stability during the last decade, emigration has not decreased over time. Today, about 1.3 million Dominicans (12% of the population) are estimated to reside abroad, with a majority (940 874, or 72% of the total stock of emigrants) in the United States (UN DESA, 2015).

Migration is also playing an important role for the Dominican economy. Remittances from emigrants abroad reached over USD 5.2 billion in 2015 and constitute almost 8% of the country's national income (World Bank, 2016b).

Haiti immigrants also contribute to economic activity, as young workers are willing to take on the jobs that the Dominican citizens do not want to fill (World Bank, 2016a). An increasing number of Haitians are employed in low-paying jobs in agriculture, construction, tourism and other service professions (ICG, 2007). However, increasing immigration flows, particularly in the past 15 years, have raised concerns about potential negative effects on the local labour market. Challenges faced in the local labour market, particularly after the banking crisis in 2003-04, have generated fears that immigration may reduce employment opportunities for local workers and contribute to stagnation in wage levels and poverty reduction. Evidence for a negative impact on real wages is however weak (World Bank, 2016a).

This chapter explores some of these issues in the Dominican Republic, setting the scene for the chapters and analysis that follow. It outlines current trends in migration and reviews what the existing research tells us about the key issues linked to migration in the country. It also reviews the role of migration in national development policies, outlines specific migration-related policies and the institutional framework for managing migration.

## **A brief overview of migration and remittance trends in the Dominican Republic**

The Dominican Republic is characterised by being a country of both immigration and emigration. The number of emigrants who have left the country outnumber the numbers of immigrants: the latest estimates show that while immigrants constitute about 4% of the population, around 12% of Dominicans born in the country are currently residing abroad (UN DESA, 2015).<sup>1</sup> Between 1960 and 2010, the net outflow of migrants is estimated to have reached more than 1.2 million individuals. Table 2.1 displays the evolution of net migration (the number of people immigrating minus the number of people emigrating) from 1960 to 2015.

### ***Twelve percent of the population lives abroad, mainly in the United States***

The history of emigration in the Dominican Republic is marked by several periods of particularly large outflows. The first period, 1961 to 1980, took place after the fall of the Dictator Rafael Trujillo in 1961. After times of high restrictions on movements during the dictatorship, the fall of Trujillo sparked economic and political turmoil, and led to mass emigration, particularly to the United States. Emigration continued to expand in the following decade, mainly to the United States, Puerto Rico and Venezuela. Parts of the emigration took place

through regular channels, facilitated by the easing of visas and immigration restrictions in the US Immigration Act of 1965 and support for asylum seekers and refugees. However, a significant part of the emigration flows was however irregular (OECD, 2009).

**Table 2.1. Dominican Republic emigrants significantly outnumber immigrants**

Evolution of net migration stocks and flows, 1960-2015

Time period	Net migration	Annual average
<b>1960-1965</b>	-43 490	-8 698
<b>1965-1970</b>	-56 172	-11 234
<b>1970-1975</b>	-70 824	-14,165
<b>1975-1980</b>	-87 098	-17 420
<b>1980-1985</b>	-141 635	-28 327
<b>1985-1990</b>	-149 226	-29 845
<b>1990-1995</b>	-153 106	-30 621
<b>1995-2000</b>	-161 042	-32 208
<b>2000-2005</b>	-196 000	-39 200
<b>2005-2010</b>	-204 999	-41 000
<b>2010-2015</b>	-192 736	-38 547

Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), [www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml](http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml).

The second period ranged from the early 1980s to mid-1990s, and responded to economic crises, especially in the agro-export sector. This involved a sequence of structural adjustments and economic reforms to reduce the dependence on sugar production and agriculture and diversify into low-wage export-oriented manufacturing, non-traditional agriculture and tourism (Ferguson, 2003). The economic crises had a major negative impact on the living standards of the population and sustained emigration flows to the United States and Puerto Rico, as well as towards Europe.

The third migration period spans the end of the 1990s to today. Emigration has stabilised at a high rate, both due to push factors such as low employment rates, wage differences and economic and social inequality, but also pull factors in the form of transnational social networks between emigrants and the country of origin that facilitate emigration.

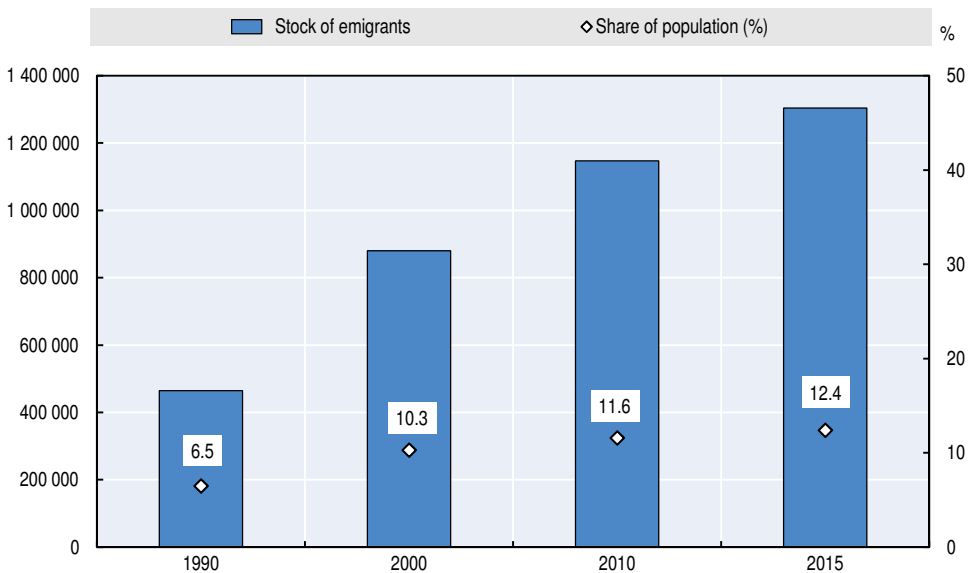
The available estimations of the volume of Dominican-born population currently residing abroad are mainly derived from census data and other types of surveys, either from immigrant surveys in the main host countries or from domestic large-scale surveys carried out in the Dominican Republic. The numbers vary slightly depending on the source. UNDP estimated the stock of Dominican emigrants to have steadily risen since 1980, from 220 131 people in 1980 to 454 754 in 1990 and reaching 959 396 in 2000 (UNDP, 2005). The

demographic and health household survey, *Encuesta demográfica y de Salud*, included a questionnaire specifically aimed at investigating international migration patterns in the 1991 round. The data showed that close to 13% (12.9%) of the households had a member residing abroad and estimated the stock of international emigrants to be 507 000 (IEPD-PROFAMILIA, 1992). Later rounds of the survey do not include any questions on migration. An annual household survey administered by the National Statistical Office (ONE), *Encuesta Nacional de Propósitos Múltiples*, included questions on international migration in its 2007 and 2011 rounds. In 2007, 9.2% of the households were recorded to have a former member who emigrated abroad, and the emigrant stock was estimated at 298 166 individuals, while the 2011 survey recorded 9.4% of households with an emigrated member and 366 261 (ONE 2009; ONE, 2012).

The most up-to-date, and widely used, source of emigration stocks is the United Nations Department of Economic and Social Affairs (UN DESA) data. The latest available update, from December 2015, shows that the stock of emigrants increased by 89% (or 415 285 individuals) between 1990 and 2000 (Figure 2.1). Since then, emigration has continued to grow, but at a slower pace, to reach close to 1.3 million individuals in 2015, representing over 12% of the population.

Figure 2.1. **Emigrants now constitute about 12% of the population**

Stock of emigrants and emigrants as share of population (%), 1990-2015



Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), [www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml](http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml).

When it comes to the main destination countries, several trends can be noted (Table 2.2). First, the United States is the predominant destination for Dominican emigrants, home to just over 70% of migrants. Emigration to the United States intensified during the migratory wave of 1985-1995, supported by high visa admission rates and a regularisation process. The adoption of the 1996 US Immigration Act introduced more restrictions and selectivity into the admission process, and these restrictions were further strengthened after the terrorist attacks in September 2001. These later events can in part explain the slowdown from the mid-1990s.

In the late 1980s, emigration flows also started to diversify towards new destination countries, particularly Europe. Spain has become the second destination country for Dominican emigrants after the United States. The share of Dominican migrants in the top five European destination countries has increased over time, from 7% of the total emigrant stock in 1990 to 17% in 2015. Another trend is the decline in Dominican emigration to Venezuela and the relative stagnation of emigration to Puerto Rico. Venezuela was an important destination for Dominicans during the 1970s and the first half of the 1980s, in the context of the oil boom. Puerto Rico was the second destination of Dominican emigrants in the 1960s, especially as a transit country for emigration to the United States.

Table 2.2. **After the United States, Spain is the second-most popular destination for emigrants, 1990-2015**

Countries	Number of emigrants				% increase		
	1990	2000	2010	2015	1990-2000	2000-10	2010-15
<b>The United States</b>	347 858	687 677	802 001	940 874	98	17	17
<b>Spain</b>	15 160	36 953	136 976	151 369	144	271	11
<b>Puerto Rico</b>	37 207	61 563	63 981	57 891	66	4	-10
<b>Venezuela</b>	18 280	14 293	14 254	14 743	-22	0	3
<b>Italy</b>	8674	17 793	42 262	42 269	105	138	0
<b>The Netherlands</b>	2 403	5 593	7 792	8 688	133	39	12
<b>Switzerland</b>	4 751	7 223	9 151	10 754	52	27	18
<b>Canada</b>	2 668	5 106	8 772	9 803	91	72	12
<b>Germany</b>	1 012	6 279	10 721	11 091	521	71	4
<b>Panama</b>	1 474	5 859	6 893	8 095	298	18	17
<b>Other countries</b>	25 512	31 945	44 498	48 916	25	39	10
<b>Total</b>	464 999	880 284	114 7301	1 304 493	89	30	14

Source: UN DESA (2015), *International Migration Stock: The 2015 Revision* (database).

### **Immigration is also on the rise, but measuring the numbers is a challenge**

The Dominican Republic has historically been a destination country for migrants. Starting in the second half of the 19th century, cane cutters were recruited to work in Dominican sugar plantations, mainly from English-speaking

Caribbean countries and Haiti. Labour immigration from Haiti was actively encouraged during the United States' occupation of the Dominican Republic (1916-24), as the sugar production was expanding under American rule. The migratory movement from Haiti continued after the end of the occupation in 1924. The regime, led by dictator Trujillo, was both dependent on the supply of immigrant workers from Haiti while at the same time anti-Haitian. In 1937, a massacre of thousands of Haitians took place as a political warning to Haiti. However, later Trujillo took over much of the control of the sugar industry, and started to see Haitian labour as a necessity rather than a threat (Ferguson, 2003). Labour shortages and a growing interest by the government in the sugar plantations saw a series of bilateral agreements (*convenios*) signed between Haiti and the Dominican Republic, allowing Haitians to enter the country and work for specified periods. Over time, the settlements around the sugar plantations – so-called *bateyes* – became permanent (OECD, 2009).

Over the years, poverty, political unrest and natural disasters in Haiti have pushed people to continue to cross the border from Haiti. In the beginning of the 1990s, a political crisis and coup d'état led to an economic embargo and subsequent US military occupation. In the first decade of the present century, two dramatic events – a political crisis involving armed revolt and the earthquake in 2010 – also affected emigration flows from Haiti. On the Dominican side, the expansion of the tourism sector, free trade zones and an expanding and dynamic economy have also attracted a growing number of immigrants. The Dominican Republic is also a transit country for migrants on their way to the United States.

Estimating the total population of immigrants in the country is difficult given the large number of undocumented migrants that reside in the country. Several data sources collect information about immigration, included census data, national surveys and UN Population data. The numbers differ slightly depending on the source (Table 2.3).

It can be noted that the 2010 census registered four times as many immigrants (364 598 immigrants) compared to the 2002 census data (78 307), constituting 3.6% of the population. The large increase in immigrants in the most recent round of the census can however not only be attributed to an increase in the immigrant inflows, but is likely partly due to changes in how the data was collected. The 2010 census data collection put more emphasis on tracking and registering immigrants and devoted more time spent in the field during the collection period, which may partly explain the increase in immigration shown in the last round.

On the other hand, other national surveys have yielded higher numbers of immigrants than what was reported in the census data, and has also pointed towards a growing number of immigrants over time. In 2012, the United Nations Population Fund (UNFPA) implemented the first national immigration survey (*Primera Encuesta Nacional de Inmigrantes*, ENI-2012). The main purpose

of ENI-2012 was to estimate the size of the immigrant population residing in the Dominican Republic, and to gather data on socio-demographic, labour and migration characteristics of the immigrants, and evaluate its contribution to the labour market and other sectors of the economy (UNFPA, 2013). The survey registered a population of 524 632 immigrants in the country, while UN DESA data estimates slightly lower numbers, at 415 564 in 2015.

Table 2.3. **Estimates of immigrant numbers in the Dominican Republic vary according to the source**

	Immigrants, total	% of population
Population census		
<b>2002</b>	78 307	0.9
<b>2010</b>	364 598	3.6
Surveys		
<b>1991/Endesa</b>	112 000	1.5
<b>1996/Endesa</b>	145 800	1.8
<b>2003/EFT</b>	183 000	2.1
<b>2007/Enhogar</b>	204 948	2.2
<b>2008/EFT</b>	243 680	2.4
<b>2011/Enhogar</b>	328 055	3.3
<b>2012/ENI</b>	524 632	5.2
Estimations, UN DESA		
<b>1990</b>	291 151	4.1
<b>2000</b>	355 611	4.2
<b>2010</b>	393 720	4
<b>2015</b>	415 564	3.9

Source: ONE (2015); ENDESA (1991; 1996), *Encuesta Demográfica y de Salud*; EFT (2003; 2008), *Encuesta de Fuerza de Trabajo*; UNFPA (2013), *Encuesta Nacional de Inmigración (ENI-2012)*; ONE (2009; 2010; 2012), *Encuesta Nacional de Hogares de Propósitos Múltiples (Enhogar)*; UN DESA (2015), *International Migration Stock: The 2015 Revision*.

In addition, various other estimates of the volume of immigration in the country, particularly Haitian immigration, exists, as well as simple estimates that are disseminated through the media and nourish popular perceptions of an extraordinary invasive inflow of immigrants from Haiti, with figures between one and three million Haitian immigrants.

Table 2.4 compares data based on the 2010 census data, the ENI-2012 immigrant survey and UN DESA estimates for 2015 on the composition of immigrants by their main countries of origin. Haitian immigrants are by far the largest immigrant group according to all three data sources, constituting close to 80% of the stock of immigrants in the census and UN DESA data (the UN DESA draws significantly on the census data), and 87% according to the ENI-2012 survey. Immigrants from the United States are the second most prominent group, although the number recorded by the census is almost twice that of the survey data (24 457



vs. 13 514 immigrants). Other important countries of origin include Spain, Puerto Rico and Venezuela, reflecting the top countries of emigration (Table 2.2).

**Table 2.4. Haitians are the largest immigrant group in the Dominican Republic**  
Number and share of immigrants, according to the main countries of origin

Immigrant origin countries	2010 Census		ENI-2012		UN DESA	
	Immigrants	%	Immigrants	%	Immigrants	%
<b>Haiti</b>	311 969	78.8	45 8233	87.3	329 281	79.2
<b>United States</b>	24 457	6.2	13 514	2.6	25 814	6.2
<b>Spain</b>	6 691	1.7	6 720	1.3	7 062	1.7
<b>Puerto Rico</b>	5 763	1.5	4 416	0.8	6 083	1.5
<b>Venezuela</b>	5 132	1.3	3 434	0.7	5 417	1.3
<b>Cuba</b>	3 639	0.9	3 145	0.6	3 841	0.9
<b>Italy</b>	3 595	0.9	4 044	0.8	3 795	0.9
<b>Colombia</b>	3 416	0.9	2 738	0.5	3 606	0.9
<b>France</b>	1 936	0.5	3 599	0.7	2 043	0.5
<b>Germany</b>	1 574	0.4	1 792	0.3	1 661	0.4
<b>China</b>	1 406	0.4	3 643	0.7	1 484	0.4
<b>Other countries</b>	26 213	6.6	19 354	3.7	25 477	6.1
<b>Total</b>	395 791	100	524 632	100	415 564	100

Source: ONE (2010), IX Censo Nacional de Población y Vivienda 2010 (database); UNFPA (2013), Encuesta Nacional de Inmigración 2012 (ENI-2012), 2012; UN DESA (2015) *International Migration Stock: The 2015 Revision*, (database), [www.un.org/development/desa/population/migration/data/estimates2/estimates15.shtml](http://www.un.org/development/desa/population/migration/data/estimates2/estimates15.shtml).

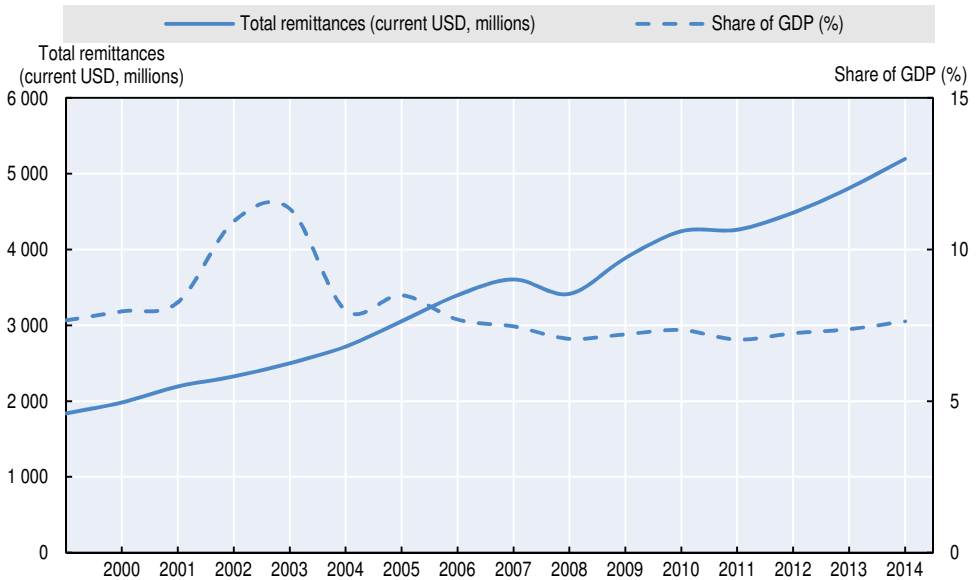
### **Remittances make an important contribution to the Dominican economy**

Remittances sent home by Dominican migrants have continued to grow steadily since the early 1990s, at 19% annually between 1990 and 2000, and 8% annually over 2000-10. The growth in remittances reflects the evaluation of emigration flows described above, but has also been affected by economic and financial factors such as currency devaluation; growing wages for Dominican immigrants abroad; and the development and expansion of the remittance market, facilitating international transactions (UNDP, 2005).

Figure 2.2 shows how total remittances have continued to grow over the past 15 years, except during the 2009 economic crisis when the economies of the main destination countries slowed down. In 2015, the country received USD 5 196 million in remittances. Since 2000, the share of the value of remittances in relation to GDP has remained at around 7% (with a peak during the economic crises in 2003-04 when GDP fell substantially), despite the strong growth experienced by the Dominican economy in the period. Remittance flows have by far exceeded foreign direct investment (World Bank, 2011). A majority of the remittances are sent from the United States (74%), followed by Spain (11%) (UN-DESA, 2015).

Figure 2.2. **The volume of remittances continues to grow steadily**

Evolution of remittance flows over time, in USD and as share of GDP (%)



Source: World Bank (2016b), *Migration and Remittance Data* (database), <http://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT> (accessed 27 March, 2017).

Information about remittances at the household level is more limited and less conclusive. According to demographic and health survey data, about 12% of households received remittances in 1996 (ENDESA, 1996). The 2002 census – the only national population census to measure remittances – showed that about 10% of households received remittances. On the other hand, the 2007 and 2011 household surveys by the Statistical Office (EnHogar) both estimate that about 17% of households receive remittances (ONE, 2009; ONE, 2012). The Inter-American Development Bank (IDB) conducted a remittance survey in 2004, which estimated that 70% of the Dominican emigrants abroad send remittances to relatives back home, and that about 38% of all adults residing in the Dominican Republic country receive remittance (IDB, 2004). The majority of the remittances were sent from the United States (59%), followed by 30% from Europe and 9% from Puerto Rico. The average remittance amount received by the households on a yearly basis ranged from USD 1 500 to USD 2 000 (IDB, 2004).

### **Statistics related to return migration is scarce**

Much less is known about return migration to the Dominican Republic. In 2013, the National migration body, Dirección Nacional de Migración (DGM), recorded 2 008 deported Dominican emigrants returning to the country,

including 1 981 from the United States, 218 from Puerto Rico, 180 from Spain, 105 from Panama, 93 from Curacao, 72 from Mexico and the rest from Trinidad and Tobago, Chile, Canada, San Martin and Guadalupe. The United States is the country of destination that sends back most Dominican emigrants. The US Department of Homeland Security estimated that a total of 32 444 Dominican emigrants have been deported from the United States in the period 2003 to 2012, including 2 883 emigrants in 2012 and 2 462 emigrants in 2013, which is slightly higher than the numbers reported by the DGM (OBMICA, 2014).

Apart from being deported, emigrants also return voluntarily to the Dominican Republic, either by themselves or with the assistance of a return programme. For example, 41 Dominican emigrants are reported to have returned to the country between 2009 and 2014 through the Spanish return programme *Plan de Retorno Voluntario* (OBMICA, 2016). Compared to other significant Latin American immigrant groups in Spain (originating from for example Argentina, Colombia, Ecuador and Peru), Dominican emigrants seem less prone to use the Spanish voluntarily return programme (OBMICA, 2014).

## What are the key issues and knowledge gaps?

In the past four decades, a strand of research and literature on Dominican migration, supported by field studies, case studies and socio-anthropological investigations, has emerged. Systematic studies using data over time are however still rare. The following section gives a brief overview of the key literature related to immigration and emigration in the context of Dominican Republic. The literature addresses a wide range of topics related to both emigration and immigration.

### ***Immigration studies are largely focused on Haitian labour migration***

Historical migration studies have to a large extent focused on the formation of the sugar plantation systems and labour immigration and the *braceros* agreements regulating immigration flows of workers from Haiti (see for example del Castillo, 1979; Báez Evertsz, 1986; Inoa, 1999). Haitian immigration has in many respects been central for the creation and expansion of the sugar plantation system, which contributed to the development of the Dominican economy. Several studies in the 1980s and 1990s emphasised the social exclusion and systematic abuse of Haitian workers' rights in the form of underpayments and denied medical attention, as well as physical abuse (Ferguson, 2003). Another relevant historical aspect in the migration literature is the massacre of more than 10 000 Haitian nationals ordered by the dictator Trujillo in 1937 (see for example Castor, 1988 and Vega, 1983; 1995).

At the end of the 1990s, studies started to become more and more oriented towards the so-called new Haitian immigration. The crises in the sugar industry led to a decrease in the demand for labour in the sugar plantations, and immigrant workers started moving into other sectors of the economy. In line

with this development, focus shifted towards studying immigrants working in agriculture outside the plantations and in the urban economy. Subsequently, more systematic studies were carried out on specific sectors, such as the production of bananas for export and urban constructions.

More recent studies have focused on the role of immigration for the labour market, including the informal sector and changes in the composition of immigrants. The significant inflow of immigrants, particularly from Haiti, has led to perceptions that migration might have negative effects on wages and employment opportunities on the native-born population. Empirical evidence does not support these perceptions, however, as Haitian immigrant labour is to a large extent unskilled and informally employed, constituting a complement rather than a substitute to the relatively more skilled Dominican workers in the labour market (World Bank, 2016a). The UNFPA data collection on immigrants in 2012 (ENI-2012) paved the way for a new wave of studies based on national immigration survey data, focusing on key areas such as the labour market, gender and youth. The studies also contained in-depth analysis related to the socio-economic conditions of immigrants compared to the native-population, and the role of immigrant workers for the economy (see Murphy, 2013; Lozano, 2013; Lizardo and Gratereaux, 2013; Maguid, 2013; Vargas, 2013). The results showed, among other things, that while immigrant workers make important contributions to the Dominican economy, immigrants have very limited access to the social security system (Lozano, 2013).

### ***Remittances tend to reduce poverty and increase schooling***

Studies of emigration from the Dominican Republic have mainly been carried out by American scholars, with a focus on impacts in the United States. Studies on emigration to destinations other than the United States are only starting to develop (see Duanny, 1990 on emigration to Puerto Rico and Báez Evertsz, 2001 on Spain).

Studies of the emigration impacts in the Dominican Republic are substantially smaller in number. At the macroeconomic level, studies have shown that remittances play a major role in supporting the Dominican balance of payments (Suki, 2004). At the micro level, a study covering 11 Latin American countries showed that remittances tend to reduce poverty headcounts in the Dominican Republic (Acosta, Fajnzylber, and Lopez, 2007). The effect on school attendance was more mixed, but showed that remittances also tend to lead to an increase in schooling. Another study investigating the impact of remittances on schooling found a positive impact on girls' school attendance, as well as for secondary school-age children and younger siblings. However, the study also found that emigration has such a negative impact on school attendance that it cancels out any positive impacts of remittances (Amuedo-Dorantes and Pozo, 2010). Furthermore, remittances have also been found to be associated

with a reduced likelihood of business entrepreneurship (Amuedo-Dorantes and Pozo, 2006).

## What role does migration play in national development strategies?

International migration has historically constituted an important component of the development processes in the Dominican Republic, dating back to the late 19<sup>th</sup> century when the country developed a sugar industry with connections to the world market. However, the importance of immigration for development is not fully reflected in the country's policy framework, which has mainly been focused on regulating the inflows of immigrants from Haiti. The development potential of emigration, through remittances and the diaspora, has also received little attention. Until recently, public policies formulated in the area of migration have not been set within a broader or systematic framework.

### **Migration policies have largely focused on regulating immigration flows**

During the United States' military occupation of the Dominican Republic (1916-24), labour migration was actively encouraged as the sugar industry expanded (OECD, 2009). It was also around this time that the first immigration policy schemes were introduced. The measures taken by the US interventionist government focused on the seasonal immigration of *braceros*. The policies did not target other types of immigrants, or emigration.

In 1939, the Dominican State created its first legislation on immigration, Law 95, which focused on seasonal immigrant workers in the sugar plantations but did not grant them any fundamental rights or recognise them as citizens. Over the years, immigration policies in the Dominican Republic have largely focused on regulating immigration from Haiti. Expulsion has been a common response to unwanted Haitian migrants – as large-scale and widely reported mass expulsions, as well as less publicised but frequent expulsions of individuals and groups (Ferguson, 2003).

While early migration policies were largely focused on immigration, no policies regulated the other dimension of the migration phenomenon: emigration. It was not until the 1970s that interest shifted towards the foreign earnings of emigration in the form of remittances. The Dominican government has implemented initiatives to strengthen its links with the diaspora, including a constitutional amendment recognising dual nationality and granting overseas Dominicans the right to vote (OECD, 2009).

### **The current national development strategy highlights immigration challenges**

The main development strategy document of the Dominican Republic, *Estrategia Nacional de Desarrollo (END) 2010-2030*, recognises that migration, both in terms of emigration and immigration flows, have important implications for

the country. In the preparation of the END, Migration and Diaspora was included as one of 32 main thematic areas (MEPyD, 2009).

Although the national strategy document acknowledges the positive contribution migration can have for development, the focus of the strategy document is large on the challenges that migration, and particularly immigration, poses. The first risk factor identified in the END is the educational bias in Dominican migration. The education level of emigrants is higher than that of immigrants, which leads to a loss in human capital. Another concern discussed in the document is the large share of undocumented immigrants in the country. Furthermore, it is also highlighted that unskilled labour may put negative pressure on local wage levels, and could put pressure on fiscal-, health- and educational systems (MEPyD, 2009).

When it comes to emigration, the national strategy raises a concern around the socio-economic conditions of the Dominican diaspora abroad. The poverty rate among Dominicans in the United States is the highest among the Latino immigrant groups (MEPyD, 2009).

Two priority areas are identified in order to address the challenges posed by migration:

- Strengthen immigration regulations, and effectively enforce the regulations
- Increase efforts to make the international community participate more actively in the capitalisation of the Haitian economy, through donations or foreign investment.

## What is the institutional framework governing migration?

A number of fundamental legal and institutional instruments regulate migration in the country:

- the Constitution of the Republic
- the Migration Law (LM) (285-04)
- the Labor Code (Law 16-92) and a set of provisions and resolutions that complement it.

### ***The right to nationality is a controversial issue***

From 1929 until January 2010, the Dominican constitution granted birth-right citizenship (*Jus Soli*), with the exception of children born to diplomats and to parents “in transit”. The “in transit” concept was legally interpreted as a limited period of less than ten days, meaning that any child born in the country to migrants and other temporary and permanent residents with a stay that exceeded ten days had a constitutional right to Dominican nationality. Haitians and Haitian descendants, born in the Dominican Republic to Haitian parents, have however faced administrative and legal barriers to Dominican citizenship for generations.

Until 2004, Dominicans of Haitian descendants had a constitutional right to nationality. Many Haitian parents used Haitian identification documents in the process to obtain birth registration of their children born in the Dominican Republic. However, different and inconsistent documentary requirements imposed by different civil registry offices was a common challenge, and in the 1980s and 1990s some offices started require more official proof of identity, and migrants were often turned away on the basis that they were “in transit” (OSF, 2010). In 2004, the General Law on Migration (Law 285-04) was passed, which expanded the “in transit” exception to apply to all non-residents, including children of tourists, temporary workers, individuals with expired residency status and unauthorised migrants. Consequently, despite being born in the country, children of “non-resident” parents were no longer granted nationality. A new birth certification system was also introduced under the migration law, issuing “certifications of foreigner live birth” instead of the standard proof-of-birth document to non-residents, which made it difficult to obtain birth certificates from the Dominican Civil registry. The new law was met with heavy criticism from the national community, and the United Nations’ Committee on the Rights of the Child raised serious concerns that the policy would generate a large number of stateless children (UN Human Rights Council, 2008).

The new migration law also started being applied retrospectively, and the central election board (*Junta Central Electoral*) offices started removing the nationality of Dominicans of Haitian descent born decades before the law entered into force (OSF, 2010). On 26 September 2013, the Constitutional Court issued a ruling to officially revoke the citizenship of the children of unauthorised migrants born in the Dominican Republic since 1929, which consequently made generations of persons of Haitian descent, born in the Dominican Republic, stateless. In the same year, the Government announced a national regularization plan, *Plan Nacional de Regularización de Extranjeros en Situación Migratoria Irregular* (PNRE). The PNRE allowed all irregular migrants to apply for legal status, according to categories defined in the 2004 Migration law. The implementation of the plan was planned for 18 months, including an initial planning stage of 6 months followed by one year of application reception. Applicants were required to present an official identification document meet three conditions additional conditions related to the length of stay in the country, links with Dominican society and proof of employment and socio-economic stability. At the end of the application period, 288 466 applications had been submitted, of which 83% were approved and 17% were denied, mainly due to failure in providing the necessary documents.

Besides the Constitution and the Migration law, migration is further regulated by the Labor Code. Labour relationships in the Dominican Republic are governed by the Dominican Labor Code (Law 16-92). The Labor Code introduces limitations on the hiring of immigrant foreign workers, especially those hired for a fixed period

of time, and in particular those hired under temporary conditions in agricultural work. Article 135 of the Labor Code limits the hiring of immigrant labour per establishment to 20% of the total labour force contracted, with some exceptions in the agro-industry sector, such as sugar mills, for the recruitment of *braceros* (workers hired only for field work), but always for a limited time not exceeding one year.

### **Several institutions are governing migration and migration policies**

The Dominican institutional scheme regulating immigration rests on two basic institutions: the Ministry of Interior and Police and the Ministry of Foreign Affairs. The former is in charge of enforcing the migration law, while the latter controls issues related to foreign relations in migratory matters, including granting visas. In addition, the Ministry of Labour is enforcing the labour laws in matters related to the hiring of labour, including the regulations governing the recruitment of immigrant workers. The Ministry of Labour also collects labour-related migration information

The General Directorate of Migration (DGM) is the executive branch of the Ministry of Interior and Police, directly responsible for enforcing the migration law. A number of other state institutions also play an important role in the governing of migration. The main institutions are summarised below:

- **Consejo Nacional de Migración (CNM)** (National Migration Council) is the country's highest governing body for migration policies and co-ordinates the actions of the institutions responsible for implementing the national migration policy. In addition, the Council contributes to the design of national migration policies. It functions as a state advisory body, and is constituted by a number of state institutions.
- **Dirección General de Migración (DGM)** (General Directorate of Migration) is a body under the Ministry of the Interior and Police, responsible for the execution of the General Law on Migration 285-04 and its regulations.
- **Instituto Nacional de Migración (INM)** (The National Migration Institute) carries out studies related to migration, and act as an advisory body to the CNM. It aims to contribute to the design and implementation of migration policies and migration management, including the protection of human rights and security of migrants.
- **Junta Central Electoral (JCE)** (Central election board) issues birth certificates, national identity cards and passports. It is also the state agency responsible for administering the country's civil registry system and in charge of the state civil registry offices.

## **Conclusions**

Historically, the Dominican Republic has been a country of destination for immigrants from Haiti and other parts of the region. In more recent years, the country has shifted to becoming a net emigration country. Today immigrants



are estimated to constitute about 4% of the population, while about 12% of the population have emigrated abroad.

Immigrants, mainly from Haiti, contribute with labour, and remittances sent home by emigrants abroad constitute an important part of the national income. However, the importance of immigration for development is not fully reflected in the country's policy framework, and focused has mainly been on regulating immigration flows, particularly from Haiti. The potential of emigration, through the remittances and the diaspora, to contribute to development has also received little attention.

## Notes

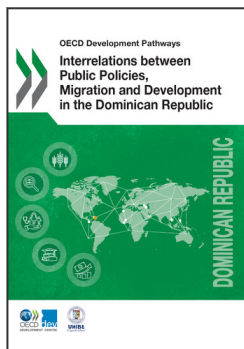
1. The definition of immigrant and emigrant is based on country of birth, not nationality or descent.

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