

No. 10411

**DOMINICAN REPUBLIC
and
SPAIN**

**Agreement on dual nationality. Signed at Santo Domingo
on 15 March 1968**

Authentic text: Spanish.

Registered by the Dominican Republic on 3 April 1970.

**RÉPUBLIQUE DOMINICAINE
et
ESPAGNE**

**Accord relatif à la double nationalité. Signé à Saint-Domingue
le 15 mars 1968**

Texte authentique : espagnol.

Enregistré par la République Dominicaine le 3 avril 1970.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON DUAL NATIONALITY BETWEEN THE DOMINICAN REPUBLIC AND SPAIN

His Excellency the President of the Dominican Republic and His Excellency the Head of the Spanish State, desirous of strengthening the links between their two countries and making it easier for their nationals to become Spanish or Dominican, as the case may be, while retaining their original nationality, thereby paying a tribute to their historical lineage and the common fundamental ties existing between the Dominican Republic and Spain, have agreed to conclude an Agreement on Dual Nationality.

To this end they have appointed as their plenipotentiaries:

His Excellency the President of the Dominican Republic: His Excellency Dr. Fernando A. Amiama Tió, Secretary of State for Foreign Affairs;
His Excellency the Head of the Spanish State: His Excellency Mr. Gabriel Martínez de Mata, his Ambassador in the Dominican Republic,

Who, after exchanging their powers, found in good and due form, have agreed as follows:

Article 1

Dominicans and Spaniards shall be able to acquire Spanish or Dominican nationality, as the case may be, under the conditions and in the form provided for in the legislation in force in each of the Contracting Parties, without thereby losing their former nationality.

Nationality shall be established before the competent authority on presentation of any documents he may deem necessary.

¹ Came into force on 22 January 1969 by the exchange of the instruments of ratification, which took place at Madrid, in accordance with article 10.

Article 2

The names of Dominicans who have acquired Spanish nationality and of Spaniards who have acquired Dominican nationality in accordance with the preceding article shall be entered in registers to be determined by the nation in which the new nationality is acquired.

The said entries shall be communicated to the other Contracting Party through the diplomatic or consular channel in accordance with the procedures which may be established under article 5.

From the date of registration, Dominicans in Spain and Spaniards in the Dominican Republic shall enjoy the full legal status of nationals in the form laid down in this Agreement and in the laws of both countries.

Article 3

In so far as concerns persons referred to in the preceding article, the issue of passports, the question of diplomatic protection and the exercise of civil and political rights shall, from the date of registration, be governed by the laws of the country granting the new nationality.

The right to work and to social security shall be governed by the law of the place where the work is performed.

In no circumstances shall nationals of both Contracting Parties referred to in this Agreement be subject simultaneously, as nationals of both, to the legislation of both, but only to the legislation of the country which has granted the new nationality.

Fulfilment of military obligations shall also be regulated by that legislation, such obligations being regarded as fulfilled if satisfied or non-existent in the country of origin.

Civil and political rights, the exercise of which is regulated by the laws of the country granting the new nationality, may not be exercised in the country of origin if such exercise would result in violation of that country's rules of public order.

Article 4

Dominicans who become naturalized Spaniards and Spaniards who become naturalized Dominicans under this Agreement, and who resume

their ordinary residence in their country of origin and wish, in conformity with its laws, to resume exercise of the rights and duties specified in article 3, must establish residence and submit to the relevant legislation in the Dominican Republic or in Spain.

The transfer referred to in the preceding paragraph must be entered in the same registers as those referred to in article 2 and the entry shall also be communicated in the same manner to the diplomatic authorities of the other country.

A person enjoying dual nationality who transfers his residence to the territory of a third State shall continue to be subject to the legislation of the country which has granted the new nationality.

Article 5

The Contracting Parties undertake to inform each other, through their respective embassies, within a period of sixty days, of any acquisitions and losses of nationality and changes of domicile which may have been effected in application of this Agreement and to transmit the documents relating to the civil status of persons covered by it.

Article 6

Those Dominicans and Spaniards who have acquired Spanish or Dominican nationality prior to the entry into force of this Agreement may be admitted to its benefits and retain their original nationality, after declaring before the respective competent authorities that they wish to do so.

As soon as this declaration is entered in the register, the provisions of this Agreement shall be applicable without prejudice to rights already acquired.

Article 7

Dominicans in Spain and Spaniards in the Dominican Republic who have not been admitted to the benefits of this Agreement shall continue to enjoy the rights and advantages accorded to them by Spanish and Dominican legislation respectively.

Article 8

Those persons to whom Dominican and Spanish laws simultaneously grant their respective nationality shall also be admitted to the benefits of this Agreement.

Article 9

The two Governments shall consult each other periodically with a view to considering and adopting measures conducive to better and consistent interpretation and application of this Agreement and any amendments or additions which may by common consent be deemed appropriate.

They shall do this in particular in order to solve in future Agreements any problems which may arise in respect of social security, the validity of professional or academic qualifications, and double taxation.

Article 10

This Agreement shall be ratified by the Contracting Parties and the instruments of ratification shall be exchanged in Madrid as soon as possible.

It shall enter into force on the date of exchange of the instruments of ratification and shall remain in force indefinitely, unless one of the Contracting Parties gives the other one year's official notice of its intention to terminate it.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Agreement and have thereto affixed their seals.

DONE at Santo Domingo, in two copies, on 15 March 1968.

For the Government
of the Dominican Republic:

FERNANDO A. AMIAMA TIÓ

Secretary of State
for Foreign Affairs

For the Government
of Spain:

GABRIEL MARTÍNEZ DE MATA

Ambassador Extraordinary
and Plenipotentiary