

Cuba Opens Its Doors to Cubans Abroad: New Laws on Migration, Citizenship, and Investment



Cuba has passed a comprehensive reform of its immigration and citizenship laws (Source: [Oncuba](#))

Just under two years after their adoption by the National Assembly in July 2024, three fundamental laws on migration, foreigner status, and citizenship [were published](#) in Cuba's Official Gazette (*Gaceta Oficial*) on Tuesday. They represent the most comprehensive reform of migration and citizenship law in recent decades and will take effect 180 days after their publication (i.e., on November 5). At the same time, [Decree-Law 117](#) took effect immediately, allowing Cubans living abroad to invest on the island for the first time.

The laws were presented at a [press conference](#) by Colonel Mario Méndez Mayedo, head of the Directorate of Identification, Immigration, and Foreigner Status (DIIE) of the Ministry of the Interior, as well as by Malluly Díaz Medina of the General Directorate for Consular Affairs and Assistance to Cubans Living Abroad (DACCRE).

Méndez Mayedo described the legislative process as “lengthy and very complex.” The authorities did not explain why nearly two years passed between parliamentary approval and publication in the Official Gazette. A delay due to the extensive changes these laws entail for Cuban society seems likely. But first things first.

Investor Status for the Diaspora – Effective Immediately

Decree-Law 117 creates a new immigration category: “Investor and Business Status” for Cubans living abroad. According to Méndez Mayedo, Cubans who obtain this status receive “the same rights as individuals with effective residence in the country.”

The responsible consular officer, Malluly Díaz, explained that the status must be applied for at Cuban consulates as soon as the applicant can demonstrate a business relationship with a Cuban company and has an approved business project on the island. The cost of the application is 3,500 pesos (approx. six euros).

Trade Minister Oscar Pérez-Oliva had already announced the measure in March 2026 as one of the government's far-reaching economic reforms ([Cubaheute reported](#)). It goes "beyond the commercial sphere" and aims at "major investments, particularly in infrastructure" in priority sectors such as tourism, mining, and energy, the minister said at the time. The backdrop is Cuba's deep structural crisis: Due to U.S. sanctions, the country has virtually no access to multilateral financing and is counting on the roughly three million Cubans living abroad as a potential source of capital.

The new regulation closes a long-standing legal loophole: Cubans living abroad were previously excluded from domestic investment law because it did not recognize their residence abroad, and from foreign investment law because it did not take their Cuban citizenship into account.

Effective Residence and the End of "Emigrant" Status

Among the key changes in the laws, which will take effect in 180 days, is the concept of "effective migratory residence" (*Residencia Efectiva Migratoria*).

In the future, a person will be considered a resident if they spend more than 180 cumulative days per year in the country or—even without meeting this requirement—can demonstrate family, professional, economic, or financial ties to the island. To qualify, one must, for example, have a residence in Cuba (owned or rented), maintain accounts at Cuban banks, pay taxes in Cuba, or invest in Cuban projects. It is therefore not enough to simply have an aunt in Havana; the focus is on tangible, often financial, ties.

This repeals the previous regulation under which Cubans who remained abroad for more than 24 consecutive months without returning automatically received "emigrant" status. According to the government platform *Nación y Emigración*, this will "halt the further growth of the emigrant category." At the same time, it is explicitly confirmed that Cubans living abroad retain their property rights to assets in Cuba, in accordance with the Constitution.

The migration categories are being reorganized, with new classifications such as "temporary residence" and "humanitarian residence." The conditions for permanent residence are being expanded and will in future include family ties, length of stay, professional qualifications, and investment capacity.

Dual Citizenship and Naturalization

The Citizenship Law (Ley 172) introduces the concept of "effective citizenship": Acquiring another nationality does not result in the loss of Cuban citizenship. However, Cubans living abroad are required to use their Cuban citizenship when entering, staying in, transiting through, and leaving Cuba. The Ministry of the Interior confirmed upon inquiry that entry into

Cuba must continue to be made with a Cuban passport. Dual nationals will continue to be treated as Cuban citizens under the law.

For the first time, the law also codifies a procedure for voluntarily renouncing Cuban citizenship—a right the diaspora had long demanded. To do so, the applicant must already hold another citizenship to avoid statelessness and must not be serving a sentence in Cuba or owe any debts to the state.

Furthermore, the group of individuals eligible for Cuban citizenship is expanded to include the grandchildren of Cubans. The law also regulates the acquisition, loss, revocation, and reinstatement of citizenship, as well as clearer requirements for naturalization.

The latter is a significant innovation: Foreigners can apply for Cuban citizenship after five years of effective residence. The Foreigners Act (Ley 173) establishes structured residence categories for this purpose—temporary, humanitarian, property-based, and permanent—and facilitates foreign workers' access to the Cuban labor market.

This is already possible starting with the status of *Residente Provisional*, the one-year preliminary stage to *Residencia permanente*. To obtain this status, social integration into Cuban society is required—which, among other things, includes participation in political events such as the May Day march.

Furthermore, no criminal offenses may be committed, and sources of income that guarantee a comfortable life in Cuba must be available.

The *Residencia permanente* is thus open to a broader group of people than before. In contrast to the *Residente Temporal*, whose stay is usually strictly tied to a specific employment relationship or a temporary project, the permanent residence permit offers extensive economic freedom. Holders of this status are legally on equal footing with Cubans living in the country in economic life. They enjoy unrestricted access to the labor market and can establish private enterprises (MiPYMEs) or work as self-employed individuals without separate work permits.

However, those who are *Residente permanente* must now hold the status of effective migratory residence (*Residencia Efectiva Migratoria*), i.e., spend most of the year in Cuba or be able to prove the other ties mentioned above. Obtaining the *Residencia permanente* costs a one-time fee of 1,000 U.S. dollars.

The public has reacted critically to a provision in the Citizenship Law allowing the president to revoke citizenship by decree if someone “engages in actions contrary to the country’s high political, economic, and social interests” or joins armed organizations acting against Cuba.

Doctors and Athletes: Unresolved Issues

The Cuban media has discussed the situation of doctors and athletes who did not return from assignments or competitions abroad and have since been barred from re-entering the country. The new laws contain no explicit provisions on this matter. According to the DIIE’s communications team, this is not a matter of immigration law but rather a state policy measure stemming from a regulation by the Ministry of Health and handled separately.

Samuel Laferte, a commentator on the state-run news portal *Cubadebate*, wrote that the affected professionals “as adults with full legal capacity must bear the consequences of their actions,” since they were aware of the rules when they left the country. Other commentators called for a separate clarification of these cases in a public debate.

U.S. sanctions overshadow the reforms

Four days before the law was published, on May 1, 2026, U.S. President Donald Trump signed an [executive order](#) extending U.S. sanctions against Cuba to nearly all economic sectors—including energy, defense, mining, and financial services. The order authorizes Washington to also sanction foreign individuals and companies that maintain business relations with Cuba.

For Cuban nationals living abroad who hold U.S. citizenship or permanent residency—a large portion of the targeted group—participation in the Cuban economy now carries a direct risk of sanctions. Financial institutions in third countries are also likely to react cautiously in light of the risk of secondary sanctions. ([Cubaheute](#))

Further Information:

- [New Migration, Aliens, and Citizenship Act](#)
- [Decree-Law on Investor Status for Cuban Expatriates](#)