

MANAGEMENT CRITERION 2/2026 OF THE DIRECTORATE-GENERAL FOR MIGRATION MANAGEMENT REGARDING THE NATIONAL RESEARCH RESIDENCE PERMIT AND ITS APPLICATION TO FOREIGN NATIONALS UNDERTAKING DOCTORAL STUDIES

1. PURPOSE

To establish a uniform criterion regarding the immigration authorization regime applicable to foreign nationals who intend to enter Spain to undertake doctoral studies corresponding to Level 4 (Doctorate) of the Spanish Qualifications Framework for Higher Education (MECES) and Level 8 of the European Qualifications Framework (EQF), or who, as holders of a stay or residence authorization, wish to pursue such studies.

2. LEGAL BASIS

Article 72 of Law 14/2013 of 27 September on Support for Entrepreneurs and their Internationalisation provides as follows:

Article 72. Training, Research, Development and Innovation

1. Foreign nationals who intend to enter Spain, or who, being holders of a stay or residence authorization, wish to carry out training, research, development or innovation activities in public or private entities, must hold the corresponding visa or a residence permit for training or research, valid throughout the national territory, in the following cases:

a) Research personnel referred to in Article 13 and Additional Provision One of Law 14/2011 of 1 June on Science, Technology and Innovation.

(...)

1. The residence permit for research shall have two modalities:

(...)

b) **National Research Residence Permit.** This permit shall apply to foreign nationals included in paragraph 1 of this article who are not covered by paragraph 2(a).

Article 13 of Law 14/2011 of 1 June on Science, Technology and Innovation establishes:

Article 13. Research Personnel

For the purposes of this law, research personnel are those who, possessing the qualifications required in each case, carry out research activities, understood as creative work undertaken systematically to increase the stock of knowledge, including knowledge relating to humanity, culture and society, as well as the use of such knowledge to create new applications, its transfer

and dissemination. Academic and research staff defined under university legislation whose functions include conducting research activities shall also be considered research personnel.

Likewise, Organic Law 2/2023 of 22 March on the University System states in Article 9.4:

Article 9. Structure of Official Academic Programmes

1. Doctoral studies are aimed at acquiring the competences and skills related to research within a field of scientific, technical, humanities, artistic or cultural knowledge.

A joint interpretation of the above provisions leads to the conclusion that doctoral studies are fundamentally research-oriented and therefore fall within the scope of research referred to in Article 72 of Law 14/2013. Consequently, foreign nationals undertaking doctoral studies in Spain shall be subject to the **National Research Residence Permit** provided for in Article 72.2(b) of that Law, the processing of which falls within the competence of the **Large Companies and Strategic Groups Unit (UGE-CE)**.

3. PRACTICAL APPLICATION

Cases involving foreign nationals who intend to undertake doctoral studies in Spain shall be processed through the **National Research Residence Permit** provided for in Article 72 of Law 14/2013, under the jurisdiction of the Large Companies and Strategic Groups Unit (UGE-CE).

Applications may be submitted either by the foreign national concerned or by the institution where the doctoral studies will be carried out.

Where the applicant is outside Spain, once the National Research Residence Permit has been granted, the corresponding visa must be obtained from the competent Spanish consular office.

If an application for a higher education study stay authorization referred to in Article 52.1(a) of the Regulation implementing Organic Law 4/2000, approved by Royal Decree 1155/2024 of 19 November, is submitted to an Immigration Office, different from **Large Companies and Strategic Groups Unit (UGE-CE)**, or, where the applicant is abroad, a visa application is submitted under Article 34.1(a) of that Regulation, the applicant shall be informed that such procedures are not applicable and that the correct procedure is that established under Article 72 of Law 14/2013.

Madrid, on the date of electronic signature.

THE DIRECTOR-GENERAL FOR MIGRATION MANAGERMENTS

Santiago Antonio Yerga Cobos