

TRANSFERRING NATIONALITY TO CHILDREN*

**Progress made - countries struck out below have removed their discriminatory provisions since our first report in 2013.*

Unmarried mother cannot pass to child born in country on an equal basis with unmarried father

Bahrain^φ, Brunei, Burundi^φ, Iran, Jordan^φ, Kuwait^{*}, Lebanon^φ, Libya^φ, Nepal[◄], Oman^φ, Qatar, Saudi Arabia^φ, Senegal[‡], Somalia[□], Suriname^φ, Swaziland^φ, Syrian Arab Republic^φ, United Arab Emirates^{φ^}

Unmarried father cannot pass to child born in country on an equal basis with unmarried mother

Bahamas, Madagascar[○]

Unmarried mother cannot pass to child born outside country on an equal basis with unmarried father

Bahrain^φ, Brunei, Burundi^φ, Iran, Iraq^{φ○}, Jordan, Kuwait^{*}, Lebanon^φ, Liberia[‡], Libya[‡], Mauritania[‡], Nepal[◄], Oman^φ, Qatar, Saudi Arabia^φ, Senegal[‡], Sierra Leone[‡], Somalia[□], Suriname^φ, Swaziland^φ, Syrian Arab Republic, Tunisia[‡], United Arab Emirates^φ

Married mother cannot pass to child born in country on an equal basis with married father

Bahrain^φ, Brunei, Burundi^{φ∨}, Iran⁺, Jordan^φ, Kiribati[‡], Kuwait[∞], Lebanon^{Ωφ}, Libya^φ, Madagascar^φ, Nepal[◄], Oman[♀], Qatar, Saudi Arabia[‡], Senegal[‡], Somalia[□], Suriname[‡], Swaziland, Syrian Arab Republic, United Arab Emirates^{φ^}

Married mother cannot pass to child born outside country on an equal basis with married father

Bahamas[◇], Bahrain^φ, Barbados, Brunei, Burundi^φ, Iran⁺, Iraq^{φ○}, Jordan, Kiribati, Kuwait, Lebanon^Ω, Liberia[§], Libya[‡], Madagascar^φ, Malaysia[‡], Mauritania[‡], Nepal[◄], Oman[♀], Qatar, Saudi Arabia, Senegal[‡], Sierra Leone[‡], Somalia[□], Suriname[‡], Swaziland, Syrian Arab Republic, Tunisia[‡], United Arab Emirates^{φ^}

Unmarried father of child born abroad cannot pass to child without additional requirements beyond proof of paternity

Austria, Denmark, United States of America, Madagascar[○], Malaysia

Unmarried father of child born abroad cannot pass to child at all

Bahamas, Barbados

Naturalised mother cannot pass to children on an equal basis with naturalised father

Yemen

Women cannot pass nationality to adopted children on an equal basis with men

Bahamas, Barbados^U, Kiribati^U, Mauritius^U, Solomon Islands^U

Foreign mother who was born in country cannot pass to child born in country on an equal basis with foreign father who was born in country

Iraq

If a father's nationality changes, his children may cease to be citizens without consideration of the mother's nationality

Bahrain, Egypt^U, Iraq, Kuwait, Madagascar^U, Mauritania^X, Oman^Q, Pakistan, Sudan^{UU}

LAWS AFFECTING SPOUSES / MARRIAGE

Married woman cannot pass to foreign spouse on an equal basis with married man

Bahamas, Bahrain, Bangladesh^U, Barbados, Benin^o, Brunei, Burundi^o, Cameroon^o, Central African Republic, Comoros^o, Congo (Republic of), Egypt, Guatemala^o, Guinea^o, Iran^X, Iraq^o, Jordan, Kiribati, Kuwait, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Mauritania^o, Morocco, Nauru, Nepal, Niger, Nigeria, Oman^Q, Pakistan, Qatar^C, Saint Lucia^X, Saint Vincent & Grenadines^X, Saudi Arabia, Senegal^o, Sierra Leone, Singapore, Solomon Islands, Somalia^U, Sudan^U, Suriname, Swaziland, Syrian Arab Republic, Tanzania, Thailand^o, Togo^o, United Arab Emirates^o, Vanuatu, Yemen^U

Married man cannot pass to foreign spouse on an equal basis with married woman

Philippines, Tunisia^o

Woman who has lost her nationality of origin through marriage cannot regain it on the termination of marriage

Egypt^f, Iraqⁿ

Foreign woman who takes spouse's nationality automatically loses it upon termination of marriage

Bahrain^o, Togo^o, Tunisia^o, Yemen^o

Woman automatically loses nationality of origin upon marrying spouse of another nationality

Iran^o, Madagascar^o, Singapore^f, Yemen^o

Foreign woman automatically acquires her husband's nationality at the time of the marriage or on his acquisition of citizenship

Somalia

Key

- ◇ Unless child renounces other citizenship
- ϕ Unless one or more of the following applies: father unknown; father has repudiated/not acknowledged the child; father stateless; father of unknown nationality; fatherhood not substantiated
- ♀ Except under very restrictive circumstances
- ∅ Mother has to be unknown or of unknown nationality
- √ Express application can be made
- * Not by right, but possible by decree issued by the Minister of the Interior if father unknown or not legally established
- Except under certain conditions
- ⌘ In June 2012, Somalia drafted a Constitution providing for equality between men and women with an indication the nationality law will be amended accordingly
- ^ A December 2011 decree allows Emirati women married to non-nationals to pass citizenship to their children once the child reaches maturity
- + There is suggestion that citizenship is possible at age 18 for children born of Iranian women and non-national men. Several restrictions are placed on women marrying at all. For example, women need government permission to marry non-national men and Moslem women are explicitly forbidden from marrying non-Moslem men
- ∞ Unless mother irrevocably divorced/foreign father deceased and child resident in Kuwait until reaches majority
- § The Liberian Constitution provides that either parent can pass nationality to their children, but the nationality law restricts this. A new draft nationality law published at the end of 2012 proposes amendments to conform to the Constitution
- » Sudanese mothers, unlike fathers, have to go through the process of expressly applying for citizenship for their children, which causes additional hardship, but the law provides technical equality hence the omission of Sudan from the other categories
- « See Annex
- Husband can apply for naturalisation under normal procedures with reduced or waived conditions
- Ω Unless by permission of Head of State after acquiring foreign nationality and reapplying for Lebanese nationality within one year of dissolution of marriage/maturity of child and living in Lebanon
- × Possible for wives to pass nationality to non-national husbands, subject to proviso that Minister can refuse on reasonable grounds
- ⊖ Upon divorce and only if she has retained her nationality of origin or acquired another one
- ∪ Also applies to naturalised women
- ⊔ In the case of joint adoption
- ∫ Unless was residing or came back to reside in Egypt and declares her wish to recover her nationality to the Minister of the Interior

- ⚭ Minor children will forfeit nationality if, as a result of their father's change in nationality, they acquire the new nationality as a result of applicable law but they can decide to choose the Egyptian nationality during the second year of reaching majority
- ✂ Men who are married to Iranian women and have a child with the Iranian national may apply for governmental approval to become a national
- ⚭ Only if the laws of the spouse's nation automatically impose their nationality on her
- ⊖ There is a possible contradiction in the law – see Annex
- ⚭ Unless she is in Iraq at the time of application (not explicitly resident)
- ∴ If children have another nationality and if his spouse's nationality changes also
- ⚭ Naturalised wife is also not permitted to pass to foreign spouse on same basis
- ⋄ If marriage dissolves within 2 years and she won't be rendered stateless
- ⚭ If the minor is or was the national of any other country
- ⊖ Unless she is stripped of her nationality by country of origin
- ⚭ Although under Article 3 an Emirati man can pass to a foreign spouse, "In all instances, the husband shall not affiliate to his wife's nationality."
- ⚭ If she has not held Yemeni nationality for 4 years and was not married for at least 8 years under Article 11
- ⚭ Yemeni woman who married Muslim foreigner keeps nationality if she wants to
- ⚭ Naturalisation requirements only slightly reduced for foreign husband AND Omani wife must have had a son with the foreign husband
- ⚭ At father's request and if father's new country gives children nationality; regaining Omani citizenship for minor children only possible through the father
- ⚭ Divorce, though note equality under Article 149 of the Togolese Civil Code
- ⊕ When marriage is deemed void but no guard against statelessness
- ✂ If a naturalised man loses his nationality, his children and naturalised wife may cease to be citizens subject to certain conditions
- Under Yemen's 1990 law there was also discrimination in passing to children but we believe this was amended in 2010