



# Birthright Citizenship Around the World

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# Birthright Citizenship Around the World

*Prepared by the Staff of the Global Legal Research Directorate*

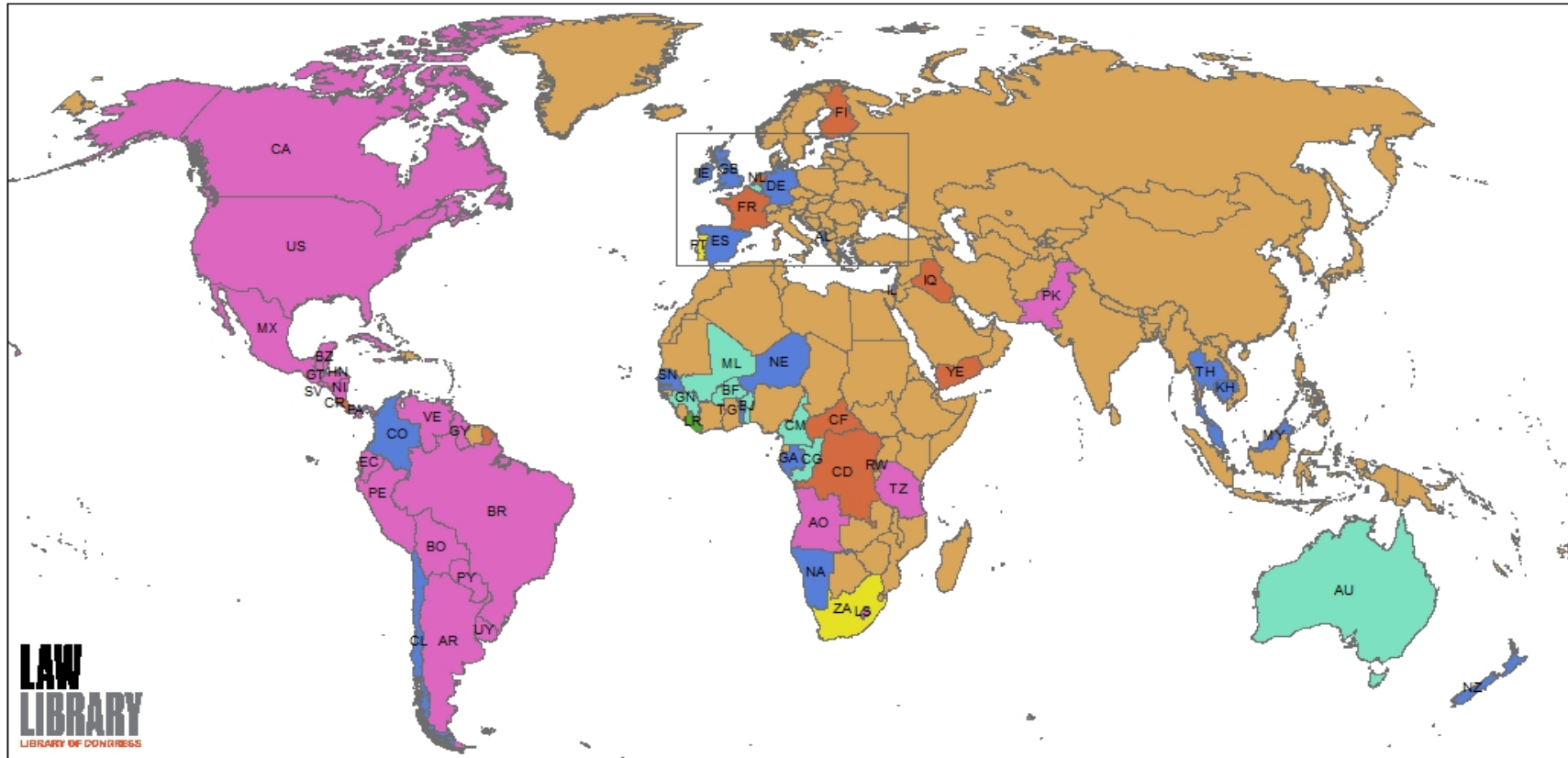
**SUMMARY** Based on a comprehensive survey of citizenship and nationality laws of the countries of the world, this report presents information on the laws of those countries that allow acquisition of citizenship based on the fact of one's birth in the territory of the country (*jus soli*, or birthright citizenship). In theory, the *jus soli* rule of citizenship stands in sharp contrast to the *jus sanguinis* rule, which grants citizenship only if one or both parents hold citizenship. In reality, the line between these approaches frequently blurs, as the various parent-based conditions for birthright citizenship listed in the table below illustrate.

The research identified ninety-four countries that currently have, or previously had but recently terminated, laws granting citizenship by birth, with or without added conditions. A centuries-old principle of British common law that grew out of feudalism, the unconditional right to citizenship by birth was limited in many common law jurisdictions during the second part of the twentieth century. After exclusion of this right from British law by the 1981 Nationality Act, the application of the right changed in the British overseas territories as well. While *jus soli* was also a centuries-old tradition in Continental Europe, many of the civil law countries of Continental Europe opted for the *jus sanguinis* rule to determine citizenship in the nineteenth century, following the example of the Napoleonic Code. Today, however, a country's jurisprudential tradition seems less determinative of its approach to birthright citizenship than geographic location: The report reveals that the vast majority of surveyed countries that currently grant unconditional birthright citizenship (all but six of thirty-three countries) are located in the Americas and the Caribbean.

For the purposes of this report, laws aimed at the elimination of statelessness that grant citizenship of the country of birth to stateless children or to the children of stateless or unknown parents, a practice widely accepted throughout the world, were not considered. The children of diplomatic personnel and others in the service of foreign governments and entitled to immunity are routinely excluded from birthright citizenship and also are not mentioned here. In regard to the British overseas territories, the report focuses on British overseas territories citizenship through which passports are obtained and does not address "Belonger status" or "Islander status," which is provided through local laws and confers various rights, such as voting rights, etc. Many countries include a reservation allowing for the withdrawal of birthright citizenship from the children of enemy aliens. Rarely applied, this reservation was not considered as a restriction by the authors of this report, and such countries were counted as providing unrestricted birthright citizenship. Hong Kong, where Chinese citizens obtain the right to permanent residency based on the fact of being born in Hong Kong, also was not included, and the Nordic countries (with the exception of Finland) were excluded as well because they provide only a provisional citizenship to children born in the territory until the citizenship of the parents can be determined.

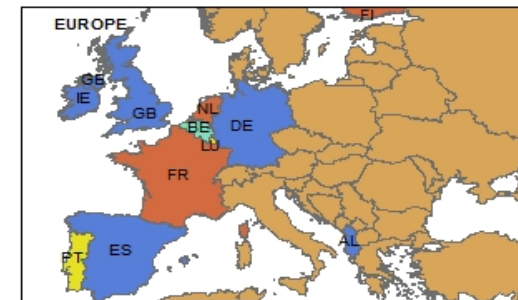
While most of the countries that provide for unrestricted birthright citizenship are located in the Western Hemisphere, many nations around the world make birthright citizenship conditional on the legal status of the parents, or the age and length of residency in the country of the person applying for citizenship based on the fact of his or her birth in the country's territory. Except for France and the Republic of the Congo, countries with age or length of residency requirements do not grant birthright citizenship automatically and have an application process in place. While the laws of most countries are neutral concerning the origin (but not the legal status) of a child's parents, there are two notable exceptions: Mali and Liberia grant birthright citizenship based on race. The survey demonstrates a reconsideration of unrestricted birthright citizenship by many countries. This right was abolished most recently in Ireland (2005) and New Zealand (2006). Legislation terminating unconditional birthright citizenship is currently under consideration in Tanzania.

## Birthright Citizenship Around the World



### Birthright Citizenship Conditions

- |  |  |
|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #e91e63; border: 1px solid black; margin-right: 5px;"></span> Unconditional at birth                    | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffff00; border: 1px solid black; margin-right: 5px;"></span> Combination of parental status and age/residency of child |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #2196f3; border: 1px solid black; margin-right: 5px;"></span> Parental status                           | <span style="display: inline-block; width: 15px; height: 15px; background-color: #4caf50; border: 1px solid black; margin-right: 5px;"></span> Race/ethnicity  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #a1887f; border: 1px solid black; margin-right: 5px;"></span> Age/residency of child                    | <span style="display: inline-block; width: 15px; height: 15px; background-color: #d9ead3; border: 1px solid black; margin-right: 5px;"></span> No birthright citizenship                                 |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #4db6ac; border: 1px solid black; margin-right: 5px;"></span> Parental status or age/residency of child |  |



*Note:* With regard to Mali (ML), parental status can only form a basis for birthright citizenship if the parents are also “of African origin.” *Source:* Law Library of Congress, based on information provided in this report.

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
Albania	N	Granted to a child born within the territory of Albania to foreign parents who legally reside in Albania, if both parents consent. <sup>1</sup>					
Angola	Y <sup>2</sup>						
Anguilla	N	British overseas territories citizenship, or in some instances British citizenship, granted to children born in Anguilla if, at the time of birth, either parent is a British overseas territories citizen or settled in a British overseas territory. <sup>3</sup>					Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>4</sup>

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
<b>Antigua &amp; Barbuda</b>	Y <sup>5</sup>						
<b>Argentina</b>	Y <sup>6</sup>						
<b>Australia</b>	N	Granted to child born in Australia if one of his/her parents is a citizen or permanent resident. <sup>7</sup>	Granted if “the person is ordinarily resident in Australia throughout the period of 10 years beginning on the day the person is born.” <sup>8</sup>			Between January 26, 1949, and August 20, 1986 <sup>9</sup> persons born in Australia were considered Australian citizens by birth. <sup>10</sup>	
<b>Bahamas</b>	N <sup>11</sup>					Prior to July 9, 1973, the laws of the United Kingdom applied and birthright citizenship was permitted. <sup>12</sup>	
<b>Barbados</b>	Y <sup>13</sup>						
<b>Belgium</b>	N	A child born in Belgium of foreign parents will acquire Belgian citizenship if		Additionally, a person born in Belgium of foreign parents can acquire Belgian			

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
		<p>his/her parents formally claim Belgian citizenship for the child before he/she reaches the age of twelve, the child's parents have had their principal residence in Belgium for at least ten years prior to making that claim, at least one of the child's parents is authorized to reside in Belgium permanently at the time of the claim, and the child has had his/her principal residence in Belgium since birth.<sup>14</sup></p> <p>A child will also be Belgian if at least one of his/her parents was also born in Belgium,</p>		<p>citizenship if he/she formally claims it after reaching the age of eighteen and either (1) has legally lived in Belgium his/her entire life; or (2) has lived legally in Belgium since the age of five, shows that he/she knows at least one of the three national languages of Belgium, and shows that he/she is well integrated into Belgian society.<sup>16</sup></p>			

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			Automatic	By Petition			
		and that parent was a resident of Belgium for at least five of the ten years preceding the child's birth. <sup>15</sup>					
<b>Belize</b>	Y <sup>17</sup>						
<b>Benin</b>	N	A child born in Benin automatically has Beninese citizenship if his/her father was also born in Benin. <sup>18</sup>	A child born in Benin of foreign parents automatically becomes a citizen upon reaching the age of majority if he/she resides in Benin and has resided there since age sixteen. <sup>19</sup>				
<b>Bermuda</b>	N	British overseas territories citizenship, or in some instances British citizenship, granted to children born in Bermuda if, at the time of birth, either parent is a British					Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children



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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
		overseas territories citizen or settled in a British overseas territory. <sup>20</sup>					born in the UK and its territories. <sup>21</sup>
<b>Bolivia</b>	Y <sup>22</sup>						
<b>Brazil</b>	Y <sup>23</sup>						
<b>British Indian Ocean Territory</b>	N	British overseas territories citizenship, or in some instances British citizenship, granted to children born in the British Indian Ocean territory if, at the time of birth, either parent is either a British overseas territories citizen or settled in a British overseas territory. <sup>24</sup>					Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>25</sup>
<b>British Virgin Islands</b>	N	British overseas territories citizenship					Ended January 1, 1983, the effective

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
		or in some instances British citizenship, granted to children born in the British Virgin Islands if, at the time of birth, either parent is either a British overseas territories citizen or settled in a British overseas territory. <sup>26</sup>					date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>27</sup>
<b>Burkina Faso</b>	N	A child born in Burkina Faso is automatically a citizen if at least one of her/his parents was also born there. <sup>28</sup>	Any child born in Burkina Faso of foreign parents automatically becomes a citizen upon reaching the age of majority if he/she has resided there for at least five years. <sup>29</sup>				
<b>Cambodia</b>	N	Granted to children of foreign parents if both					

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
		parents are legal residents. <sup>30</sup>					
<b>Cameroon</b>	N	A child born in Cameroon is automatically a citizen if at least one of her/his parents was also born there. <sup>31</sup>		Any person born in Cameroon of foreign parents may claim Cameroon nationality within six months before attaining his/her majority, provided that on such date he/she has resided in Cameroon for at least five years. <sup>32</sup>			
<b>Canada</b>	Y <sup>33</sup>						
<b>Cape Verde</b>	N	Granted to children born to foreign parents who have habitually resided in Cape Verde for at least five years preceding the child's birth. <sup>34</sup>					

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
<b>Central African Republic</b>	N			Any person born in the Central African Republic of foreign parents may claim Central African citizenship upon attaining the age of eighteen (or earlier with parental authorization), provided that on that date he/she has resided in the Central African Republic for at least five years. <sup>35</sup>			
<b>Channel Islands (Guernsey, Jersey, Isle of Man)</b>	N	Granted to children born in the Channel Islands to a parent who is either a British citizen, legally settled in the UK, or a member of the UK armed forces. <sup>36</sup>				Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>37</sup>	

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
<b>Chile</b>	N	Granted to children born in Chile to foreign parents, unless the parents are temporarily in the country. <sup>38</sup>					
<b>Colombia</b>	N	Granted to children born in Colombia if one parent was also born in Colombia or is a Colombian national, or if both parents are foreigners but one parent is domiciled in Colombia at the time of birth. <sup>39</sup>					
<b>Comoros</b>	N			Any person born in the Comoros of foreign parents may claim Comorian nationality upon attaining the age of eighteen (or earlier with parental			

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			<i>Automatic</i>	<i>By Petition</i>			
				authorization), provided that on the date of his/her claim, he/she has resided in the Comoros for at least five years. <sup>40</sup>			
<b>Congo, Democratic Republic of the</b>	N			Any child born in the DRC of foreign parents may, at the age of eighteen, acquire Congolese citizenship if he/she expresses in writing the intent to do so and has his/her permanent residence in the DRC. <sup>41</sup>			
<b>Congo, Republic of the</b>	N	A child born in Congo is a citizen if at least one of his/her parents was also born in Congo. <sup>42</sup>	Any person born in Congo of foreign parents automatically becomes a Congolese citizen upon reaching the age of majority if, on that date, he/she has				

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		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
			resided in the Republic of the Congo since the age of sixteen. <sup>43</sup>				
Costa Rica	N			Citizenship ( <i>nacionalidad</i> ) by birth is accorded to a child born to foreign parents in Costa Rica if the child is registered as Costa Rican by his/her parents while a minor, or registers on his/her own volition upon turning twenty-five years of age. <sup>44</sup>			
Côte d'Ivoire	N					Prior to 1972, a person born in Côte d'Ivoire of foreign parents could claim Ivorian citizenship upon attaining the age of eighteen (or earlier with parental	

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		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
							authorization), provided that on the date of making the claim he/she had resided in Côte d'Ivoire for at least five years. <sup>45</sup>
<b>Cuba</b>	Y <sup>46</sup>						
<b>Dominica</b>	Y <sup>47</sup>						
<b>Ecuador</b>	Y <sup>48</sup>						
<b>El Salvador</b>	Y <sup>49</sup>						
<b>Falkland Islands</b>	N	Children born in the Falkland Islands are British citizens if at least one of the parents is a British citizen or legally settled in the UK or other qualifying territory. <sup>50</sup>					Ended January 1, 1983, the effective date of the British Nationality (Falkland Islands) Act 1983. <sup>51</sup> Prior to this Act, British citizenship was granted to children



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		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
							born in the UK and its territories. <sup>52</sup>
<b>Fiji</b>	Y <sup>53</sup>						
<b>Finland</b>	N		Children born in Finland whose parents' citizenship cannot be determined are considered Finnish citizens until the parent's citizenship can be determined. <sup>54</sup> If the parents' citizenship remains unknown at age five the child retains Finnish citizenship regardless of a later determination. <sup>55</sup>				
<b>France</b>	N		Any child born in France of foreign parents automatically becomes a French				From 1994 to 1998, a child born in France of foreign parents could become a French

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
			<p>citizen upon reaching the age of majority (eighteen) if he/she resides in France and has resided in France (continuously or not) for at least five years since the age of eleven.<sup>56</sup></p>			<p>citizen if he/she declared the intent to do so between the ages of sixteen and twenty-one, resided in France at the time of declaration, and had resided in France for the five preceding years.<sup>57</sup></p> <p>Prior to January 1, 1994, any child born in France of foreign parents automatically became a French citizen upon reaching the age of majority (eighteen) if he/she had resided in France or a French territory since the age of sixteen.<sup>58</sup></p>	

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Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
Gabon	N	A child born in Gabon is a citizen if at least one of her/his parents was also born there. <sup>59</sup>					
Germany	N	A child of foreign parents acquires German citizenship by birth in Germany if one parent (1) has been a legal resident in Germany for eight years and (2) possesses a permanent right of residence or a residence permit as a Swiss citizen or as a family member of a Swiss citizen on the basis of the EU-Switzerland Agreement on the Free Movement of Persons. <sup>60</sup>					

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			Automatic	By Petition			
<b>Gibraltar</b>	N	Persons born in Gibraltar are British citizens if at least one of the parents is a British citizen or legally settled in the UK or other qualifying territory. <sup>61</sup>					Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>62</sup>
<b>Grenada</b>	Y <sup>63</sup>						
<b>Guatemala</b>	Y <sup>64</sup>						
<b>Guinea</b>	N	A child born in Guinea is a citizen if at least one of her/his parents was also born there. <sup>65</sup>	Granted to a child born in Guinea of foreign parents upon reaching the age of majority if he/she resides in Guinea and has resided there since age sixteen. <sup>66</sup>				
<b>Guyana</b>	Y <sup>67</sup>						

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			<i>Automatic</i>	<i>By Petition</i>			
Honduras	Y <sup>68</sup>						
India	N						<p>Prior to a 2004 amendment to the Citizenship Act, 1955,<sup>69</sup> persons born in India were granted citizenship regardless of the citizenship held by their parents.<sup>70</sup> Following the 2004 amendment, only a person born in India on or after January 26, 1950, and before July 1, 1987, is a citizen by birth “irrespective of the nationality of his parents.”<sup>71</sup></p>
Indonesia	N						<p>Under legislation promulgated in 1946, persons born in Indonesia were considered Indonesian</p>

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			<i>Automatic</i>	<i>By Petition</i>			
							citizens. <sup>72</sup> Since August 1, 1958, citizenship by birth has been dependent on the citizenship status of a child's father or mother (depending on the marital status of the parents). <sup>73</sup>
<b>Iraq</b>	N			Citizenship may be requested if at least one of the foreign parents was born in Iraq. <sup>74</sup>			
<b>Ireland</b>	N	Children born in Ireland or Northern Ireland are Irish citizens if at least one of the parents is an Irish citizen, a British citizen, is lawfully settled in either Ireland or Northern Ireland, or					Ended January 1, 2005, pursuant to the Irish Nationality and Citizenship Act 2004. <sup>76</sup> Prior to this Act, Irish citizenship was granted to children born in Ireland. <sup>77</sup>

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			<i>Automatic</i>	<i>By Petition</i>			
		has lawfully resided in Ireland for at least three of the four years preceding the child's birth. <sup>75</sup>					
Israel	N			A person born after the establishment of the Israeli State in an area that was an Israeli territory at the time of his/her birth who never had any other citizenship is an Israeli citizen subject to filing a request in the period between his/her eighteenth and twenty-first birthdays, if he/she resided in Israel for five consecutive years prior to the request. The request may be rejected if the requester was			

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			<i>Automatic</i>	<i>By Petition</i>			
				previously convicted of a security offense or sentenced to imprisonment of five years for another offense. <sup>78</sup>			
<b>Jamaica</b>	Y <sup>79</sup>						
<b>Kosovo</b>	N	Granted to a child born in the territory of Kosovo of foreign parents holding valid residence permission in Kosovo, if both parents consent. <sup>80</sup>					
<b>Lesotho</b>	Y <sup>81</sup>						
<b>Liberia</b>	N				Granted to children born in the country so long as they are "Negro . . . or of Negro Descent." <sup>82</sup> This is based on a		



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			<i>Automatic</i>	<i>By Petition</i>			
					provision in the country's Constitution, which states that "[i]n order to preserve, foster and maintain the positive Liberian culture, values and character, only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia." <sup>83</sup>		
<b>Luxembourg</b>	N	A child born in Luxembourg is a citizen if at least one of her/his parents was also born there. <sup>84</sup>			May be claimed by a person born in Luxembourg upon reaching the age of eighteen if he/she has resided legally in the Grand Duchy for at least five consecutive years immediately prior to reaching that age, and has at least		

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		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
					one parent who resided legally in Luxembourg for at least twelve consecutive months immediately prior to that person's birth. <sup>85</sup>		
<b>Malaysia</b>	N	Child born in Malaysia is citizen by birth only if one of his/her parents is a citizen or permanent resident. <sup>86</sup>					Persons who were born in Malaysia on or after Merdeka Day (Aug. 1, 1957) and before the date of current law (Oct. 1962) were considered Malaysian citizens by birth. <sup>87</sup>
<b>Mali</b>	N	A child born in Mali is a citizen if at least one of his/her parents is "of Africa origin" and was also born in Mali. <sup>88</sup>		May be claimed by a child born in Mali to foreign parents within the six months preceding the date on which he/she attains the age of majority, provided that he/she		Parent of African origin (see third column)	

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
				has resided in Mali for at least five years. <sup>89</sup>			
<b>Malta</b>	N	Children born in Malta to a parent who is either a Maltese citizen or who was born in Malta is a citizen. <sup>90</sup>					Malta Independence Order 1964 provided for birthright citizenship from September 21, 1964, to July 31, 1989. <sup>91</sup>
<b>Mexico</b>	Y <sup>92</sup>						
<b>Monaco</b>	N	A child born in Monaco is a citizen if at least one of his/her parents was also born there. <sup>93</sup>		Any person born in Monaco may claim Monégasque nationality within the year following the date on which he/she attains the age of majority, but must pledge to make Monaco her/his place of domicile and must actually take up residence there within a year of claiming			

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
				Monégasque nationality. <sup>94</sup>			
Montserrat	N	British overseas territories citizenship, or in some instances British citizenship, granted to children born in Montserrat if, at the time of birth, either parent is a British overseas territories citizen or settled in a British overseas territory. <sup>95</sup>					Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act, British citizenship was granted to children born in the UK and its territories. <sup>96</sup>
Namibia	N	Granted to a child born in Namibia after independence (February 1990) whose father or mother is an "ordinary resident in Namibia" at the time of his/her birth, <sup>97</sup> and to a child					

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
		born in Namibia prior to 1991 whose father or mother was an ordinary resident in Namibia at the time of birth. <sup>98</sup>					
Nepal	N						The Nepal Citizenship Act 2006 provides for acquiring citizenship by birth. It stipulates that any person born before April 13, 1990, in the territory of Nepal with permanent domicile in Nepal is a citizen of Nepal by birth. This provision, however, is no longer applicable as the certificate of citizenship by birth could only be acquired before the Constituent Assembly election

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
							<p>was held (Apr. 10, 2008) or within two years of the commencement of the Act.<sup>99</sup></p> <p>An applicant for a certificate of citizenship of Nepal by birth must have been permanently resident in Nepal continuously and provide other evidence, including but not limited to evidence of land ownership (or tenancy).<sup>100</sup></p>
Netherlands	N			A person born in the Netherlands of foreign parents can acquire Dutch citizenship if he/she formally claims			

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
				it after reaching the age of eighteen, was born in the Kingdom of the Netherlands, has been living there since his/her birth, and on the date of the application has a valid residence permit. <sup>101</sup>			
<b>New Zealand</b>	N	Granted if at least one of the child's parents is a New Zealand citizen or entitled to reside indefinitely in New Zealand, the Cook Islands, Niue, or Tokelau. <sup>102</sup>					Between January 1, 1949, and January 1, 2006, a person born in New Zealand (including the Cook Islands, Niue, or Tokelau) was considered a New Zealand citizen by birth. <sup>103</sup>
<b>Nicaragua</b>	Y <sup>104</sup>						
<b>Niger</b>	N	A child born in Niger is a citizen if at least					

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
		one of his/her parents was also born there. <sup>105</sup>					
<b>Pakistan</b>	Y <sup>106</sup>						
<b>Panama</b>	Y <sup>107</sup>						
<b>Paraguay</b>	Y <sup>108</sup>						
<b>Peru</b>	Y <sup>109</sup>						
<b>Portugal</b>	N	Granted to children born in Portuguese territory to foreigners, if at least one of the parents was also born in Portugal and resides there, regardless of status, at the time of birth. <sup>110</sup>			Granted to children born in Portuguese territory whose parents indicated that the child would not be Portuguese, provided that one of the parents had legally resided in Portugal for at least two years at the time of birth (creating a prospective right for the child). <sup>111</sup>		



Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
Rwanda	N			Any person born in Rwanda of foreign parents may, from the age of eighteen onwards, obtain Rwandan citizenship by submitting an official application. <sup>112</sup> The application process requires the applicant to provide, among other things, a certificate showing that he/she has never been sentenced to more than six months in jail and is not subject to legal proceedings. <sup>113</sup>			
Saint Helena	N	British overseas territories citizenship, or in some instances British citizenship, granted to children				Ended January 1, 1983, the effective date of the British Nationality Act 1981. Prior to this Act,	

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
		born in Saint Helena if, at the time of birth, either parent is a British overseas territories citizen or settled in a British overseas territory. <sup>114</sup>					British citizenship was granted to children born in the UK and its territories. <sup>115</sup>
<b>Saint Kitts and Nevis</b>	Y <sup>116</sup>						
<b>Saint Lucia</b>	Y <sup>117</sup>						
<b>Saint Vincent &amp; the Grenadines</b>	Y <sup>118</sup>						
<b>Samoa</b>	N						Under a 1959 ordinance and subsequently the Citizenship Act 1972, children born in Samoa were considered citizens by birth. <sup>119</sup> However, loss or deprivation of such

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions					Birthright Citizenship Previously Allowed
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency	Based on Race or Ethnicity	
			<i>Automatic</i>	<i>By Petition</i>			
							citizenship could occur in certain circumstances. <sup>120</sup> Since January 21, 2004, a child born in Samoa is a citizen by birth only if at least one of his/her parents is a Samoan citizen. <sup>121</sup>
<b>São Tomé e Príncipe</b>	Y <sup>122</sup>						
<b>Senegal</b>	N	A child born in Senegal is a citizen if at least one of his/her parents was also born there. <sup>123</sup>					
<b>Singapore</b>	N						Under the Singapore Citizenship Ordinance 1957, every person born in the Colony of

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
						<p>Singapore was a citizen of Singapore by birth, subject to exceptions.<sup>124</sup> The 1957 Ordinance was repealed in the 1960s, and according to the current Constitution of the Republic of Singapore, persons born in Singapore, are only citizens by birth if one of their parents is a citizen of Singapore, unless the government considers it just and fair to confer citizenship on the person.<sup>125</sup></p>	
South Africa	N				Grants citizenship to anyone “born in the Republic of parents who have been admitted into the		

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
					Republic for permanent residence” so long as he/she has lived in the country from birth to the age of majority and his/her birth is registered according to the relevant law. <sup>126</sup>		
<b>Spain</b>	N	Granted if at least one of the foreign parents was born in Spain. <sup>127</sup>					
<b>Tanzania</b>	Y <sup>128</sup>						
<b>Thailand</b>	N	Granted to children born in Thailand to foreign parents if both parent are legal residents, excluding residents who are only permitted to stay temporarily. <sup>129</sup>					

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			<i>Automatic</i>	<i>By Petition</i>			
Timor Leste	N			May be claimed by children born in the national territory to a foreign father or mother upon declaring themselves willing to be Timorese after reaching eighteen years of age ("over seventeen years of age"). <sup>130</sup>			
Togo	N	A child born in Togo is a citizen if his/her father and mother were also born in Togo, and his/her main residence is in Togo. <sup>131</sup>		May be claimed by any person born in Togo of foreign parents upon reaching the age of majority, if she/he has behaved and been generally regarded as a Togolese citizen since the age of sixteen. The government has the authority to oppose such a person's			

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
				accession to Togolese citizenship. <sup>132</sup>			
<b>Trinidad &amp; Tobago</b>	Y <sup>133</sup>						
<b>Turks &amp; Caicos</b>	N	British overseas territories citizenship, or in some instances British citizenship, granted to children born in Turks and Caicos if, at the time of birth, either parent is either a British overseas territories citizen or settled in a British overseas territory. <sup>134</sup>					Turks and Caicos is a British overseas territories and birthright citizenship ended January 1, 1983, the effective date of the British Nationality Act 1981. <sup>135</sup>
<b>United Kingdom</b>	N	Granted to children born in the UK to a parent who is either a British citizen, legally settled in the UK, or		Children born in the UK to individuals who are neither citizens nor legally settled in the UK may obtain British			Birthright citizenship existed from ancient common law <sup>138</sup> to January 1, 1983, the effective date of the

Birthright Citizenship Around the World

Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
		member of the UK armed forces. <sup>136</sup>		citizenship if they live in the UK for the first ten years of their life with only limited leave outside the country. <sup>137</sup>		British Nationality Act 1981. <i>Jus soli</i> can be traced back several hundred years, most notably being discussed in Calvin's Case (1608), <sup>139</sup> and was last enshrined in statute in 1948. <sup>140</sup>	
<b>Uruguay</b>	<b>Y</b> <sup>141</sup>						
<b>Venezuela</b>	<b>Y</b> <sup>142</sup>						
<b>Yemen</b>	N			Child born in Yemen to two foreign parents who resides in Yemen until reaching legal age may apply for citizenship within one year of reaching legal age if he/she is acquainted with Arabic, of sound mind, free of mental and			



Country	Unconditional Birthright Citizenship at Birth? (Y/N)	Birthright Citizenship with Conditions				Birthright Citizenship Previously Allowed	
		Based on Parent(s)' Status and/or Length of Residency	Based on Age & Residency of Child		Based on Combination of Parental Status & Child's Age/Residency		Based on Race or Ethnicity
			Automatic	By Petition			
				physical impairments that would render him/her a burden to society, and has never been convicted of a criminal offense or moral crime. <sup>143</sup>			

<sup>1</sup> Law on Albanian Citizenship art. 8, unofficial English translation available at <http://www.refworld.org/docid/3ae6b5c10.html>, archived at <https://perma.cc/X4M4-KKLG>.

<sup>2</sup> CONSTITUIÇÃO DA REPÚBLICA DE ANGOLA art. 9, <https://www.legis-palop.org/results.jsp?load=39194&l&a=1541431093799> (by subscription only).

<sup>3</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.

<sup>4</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.

<sup>5</sup> Antigua and Barbuda Constitution Order 1981, cap. 23, LAWS OF ANTIGUA AND BARBUDA.

<sup>6</sup> CONSTITUCIÓN DE LA REPÚBLICA ARGENTINA [CONSTITUTION OF THE REPUBLIC OF ARGENTINA] art. 75, para. 12, BOLETÍN OFICIAL [B.O.], Aug. 22, 1994, <http://servicios.infoleg.gob.ar/infolegInternet/anexos/0-4999/804/norma.htm>, archived at <https://perma.cc/3X93-DTE4>; Ley 346 de Ciudadanía [Law 346 on Citizenship] art. 1.1, B.O., Oct. 1, 1869, <http://servicios.infoleg.gob.ar/infolegInternet/anexos/45000-49999/48854/texact.htm>, archived at <https://perma.cc/P8QT-SLJW>.

<sup>7</sup> Australian Citizenship Amendment Act 1986 (Cth) s 4, <https://www.legislation.gov.au/Details/C2004A03311>, archived at <https://perma.cc/V38F-7LAQ>; Australian Citizenship Act 2007 (Cth) s 12 (current law), <https://www.legislation.gov.au/Details/C2018C00256>, archived at <https://perma.cc/L4Q5-D4VZ>.

<sup>8</sup> *Id.*

<sup>9</sup> Australian Citizenship Amendment Act 1986 (Cth) s 4, <https://www.legislation.gov.au/Details/C2004A03311>, archived at <https://perma.cc/V38F-7LAQ>.

- <sup>10</sup> Nationality and Citizenship Act 1948 (Cth) s 10 (as enacted), [http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/num\\_act/naca194883o1948339/](http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/num_act/naca194883o1948339/), archived at <https://perma.cc/VA2V-7CRB>.
- <sup>11</sup> CONSTITUTION OF THE COMMONWEALTH OF THE BAHAMAS, L.R.O. 1/2006, STATUTE LAW OF THE BAHAMAS, [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1973/1973-1080/TheConstitution\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1973/1973-1080/TheConstitution_1.pdf), archived at <https://perma.cc/9KLH-DEPG>. Section 6 of the Constitution of the Bahamas provides that persons born in the Bahamas after July 9, 1973, become citizens at birth only if one or both of their parents are citizens of the Bahamas.
- <sup>12</sup> CONSTITUTION OF THE COMMONWEALTH OF THE BAHAMAS, L.R.O. 1/2006, arts. 3-4, STATUTE LAW OF THE BAHAMAS, available at [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1973/1973-1080/TheConstitution\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1973/1973-1080/TheConstitution_1.pdf), archived at <https://perma.cc/9KLH-DEPG>.
- <sup>13</sup> CONSTITUTION OF BARBADOS, 1 L.R.O. 2002, § 2, 1 THE LAWS OF BARBADOS (2002 red. ed.), available at [http://www.oas.org/dil/the\\_constitution\\_of\\_barbados.pdf](http://www.oas.org/dil/the_constitution_of_barbados.pdf), archived at <https://perma.cc/T7CT-UQ4H>.
- <sup>14</sup> CODE DE LA NATIONALITÉ BELGE [CODE OF BELGIAN NATIONALITY] art. 11bis, [http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=fr&la=F&table\\_name=loi&cn=1984062835](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&table_name=loi&cn=1984062835), archived at <https://perma.cc/YMU4-KTR2>.
- <sup>15</sup> *Id.*
- <sup>16</sup> *Id.* 12bis.
- <sup>17</sup> Belize Nationality Act, cap. 161, § 5(1), LAWS OF MALTA (rev. ed. 2000), available at <http://www.belizelaw.org/web/lawadmin/PDF%20files/cap161.pdf>, archived at <https://perma.cc/4ENJ-6AM3>.
- <sup>18</sup> Loi No. 65-17 du 23 juin 1965 portant code de la nationalité dahoméenne [Law No. 65-17 of 23 June 1965 Establishing a Code of Dahomeyan Nationality], art. 7, <http://www.refworld.org/docid/3ae6b581c.html>, archived at <https://perma.cc/W8LJ-VZCL>.
- <sup>19</sup> Loi No. 65-17 du 23 juin 1965 portant code de la nationalité dahoméenne [Law No. 65-17 of 23 June 1965 Establishing a Code of Dahomeyan Nationality], art. 24, <http://www.refworld.org/docid/3ae6b581c.html>, archived at <https://perma.cc/W8LJ-VZCL>.
- <sup>20</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>21</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>22</sup> CONSTITUCIÓN POLÍTICA DEL ESTADO [POLITICAL CONSTITUTION OF THE STATE] art. 141, BOLETÍN OFICIAL Feb. 7, 2009, <http://www.wipo.int/edocs/lexdocs/laws/es/bo/bo024es.pdf>, archived at <https://perma.cc/6MPK-RHGP>.
- <sup>23</sup> CONSTITUIÇÃO FEDERAL art. 12, [http://www.planalto.gov.br/ccivil\\_03/Constituicao/Constituicao.htm](http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm), archived at <https://perma.cc/6BD4-6L2M>.
- <sup>24</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>25</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>26</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>27</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>28</sup> CODE DES PERSONNES ET DE LA FAMILLE [CODE OF PERSONS AND FAMILY] art. 144.
- <sup>29</sup> CODE DES PERSONNES ET DE LA FAMILLE [CODE OF PERSONS AND FAMILY] art. 155.
- <sup>30</sup> Law on Nationality, Kram NS/RKM/1096/30 (1996), art. 4, para. 2, <http://www.cambodiainvestment.gov.kh/wp-content/uploads/2012/09/LAW-96-Nationality-E.pdf>, archived at <https://perma.cc/23MJ-ZBYT>.

- <sup>31</sup> Loi No. 1968-LF-3 du 11 juin 1968, Portant code de la nationalité camerounaise [Law No. 1968-LF-3 of the 11th June 1968 to Set Up the Cameroon Nationality Code], art. 11, French version at <http://www.refworld.org/docid/3ae6b4d734.html>, archived at <https://perma.cc/MCK3-NCR3>, English version at <http://www.refworld.org/docid/3ae6b4db1c.html>, archived at <https://perma.cc/QEE9-NRJS>
- <sup>32</sup> Loi No. 1968-LF-3 du 11 juin 1968, Portant code de la nationalité camerounaise [Law No. 1968-LF-3 of the 11th June 1968 to Set Up the Cameroon Nationality Code], art. 20, French version at <http://www.refworld.org/docid/3ae6b4d734.html>, archived at <https://perma.cc/MCK3-NCR3>, English version at <http://www.refworld.org/docid/3ae6b4db1c.html>, archived at <https://perma.cc/QEE9-NRJS>.
- <sup>33</sup> All persons born in Canada after February 14, 1977, are citizens regardless of the nationality of the parents. Citizenship Act § 3(1)(a), R.S.C. 1985, c. C-29, <http://laws-lois.justice.gc.ca/eng/acts/c-29/page-1.html>, archived at <https://perma.cc/J6SN-2C2N>. The only cases in which such birthright citizenship is not extended are for: a child born in Canada, if, at the time of his/her birth, neither of his/her parents was a Canadian citizen or Canadian permanent resident and either parent was a foreign diplomat or otherwise employed by a foreign government, or employed by an international organization with similar privileges and immunities to a foreign government. *Id.* § 3(2).
- <sup>34</sup> Lei No. 80/III/90, de 29 de Junho, art. 8(b), <https://www.legis-palop.org/results.jsp?l&vc&load=8289> (by subscription only), archived at <https://perma.cc/Z5TX-SKPU>.
- <sup>35</sup> Loi No. 1961-212 du 20 avril 1961 portant code de la nationalité centrafricaine [Law No. 1961-212 of 20 April 1961 Establishing a Central African Nationality Code], arts. 7, 18-20, <http://www.refworld.org/pdfid/3ae6b55d4.pdf>, archived at <https://perma.cc/J43L-VUHZ>.
- <sup>36</sup> British Nationality Act 1981, c. 61, § 1, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>37</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>38</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE CHILE [POLITICAL CONSTITUTION OF CHILE] art. 10.1, DIARIO OFICIAL, Sept. 22, 2005, <http://bcn.cl/1uva9>, archived at <https://perma.cc/L483-RFEZ>.
- <sup>39</sup> CONSTITUCIÓN POLÍTICA DE COLOMBIA [POLITICAL CONSTITUTION OF COLOMBIA] art. 96.1, GACETA CONSTITUCIONAL, July 4, 1991, <http://www.suin-juriscol.gov.co/viewDocument.asp?ruta=Constitucion/1687988>, archived at <https://perma.cc/YX27-2AAW>.
- <sup>40</sup> CODE DE LA NATIONALITÉ [NATIONALITY CODE] arts. 20-22, <http://comoresdroit.comores-droit.com/wp-content/dossier/code/nationalite.pdf>, archived at <https://perma.cc/N78A-SPLA>.
- <sup>41</sup> Loi 04/024 du 12 novembre 2004 relative à la nationalité congolaise [Law 04/024 of 12 November 2004 Regarding Congolese Nationality], art. 21, <http://www.leganet.cd/Legislation/Code%20de%20la%20famille/LIVRE%20I%20DE%20LA%20NATIONALITE.htm>, archived at <https://perma.cc/LL9U-AE5R>.
- <sup>42</sup> CODE DE LA NATIONALITÉ CONGOLAISE [CODE OF CONGOLESE NATIONALITY] arts. 8 & 9, <http://www.refworld.org/docid/3ae6b4db4.html>, archived at <https://perma.cc/DS4G-RZLL>.
- <sup>43</sup> CODE DE LA NATIONALITÉ CONGOLAISE [CODE OF CONGOLESE NATIONALITY] art. 20, <http://www.refworld.org/docid/3ae6b4db4.html>, archived at <https://perma.cc/DS4G-RZLL>.
- <sup>44</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE COSTA RICA art. 13(1)(3), LA GACETA, Oct. 6, 19 & 20, 1949, [http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?param1=NRTC&nValor1=1&nValor2=871&nValor3=113368&param2=32&strTipM=TC&lResultado=320&strSim=simp](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=871&nValor3=113368&param2=32&strTipM=TC&lResultado=320&strSim=simp), archived at <https://perma.cc/WKU9-NBJX>. The Constitution of 1871, which was reestablished in 1919, had a similar provision, but allowed the children of foreigners to register earlier, at the age of twenty-one. CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE COSTA RICA, Dec. 7, 1871, *as reestablished* by Decreto No. 2 que Reestablece la Constitución Política de 1871, Sept. 3, 1919, in MARCO A. BRENES, COLECCIÓN DE CONSTITUCIONES DE COSTA RICA 287, 381 (Imprenta Nacional, San José, 2000).
- <sup>45</sup> Loi No. 61-415 du 14 décembre 1961 portant code de la nationalité ivoirienne [Law No. 61-415 of 14 December 1961 Establishing an Ivorian Nationality Code] arts. 17-19, <http://www.refworld.org/docid/524560854.html>, archived at <https://perma.cc/PH7Q-LLSR>.
- <sup>46</sup> CONSTITUCIÓN DE LA REPÚBLICA DE CUBA art. 29-A, DISPOSICIÓN ESPECIAL, GACETA OFICIAL [G.O.] [OFFICIAL GAZETTE], Jan. 31, 2003, 2015 edition available at <http://www.onbc.cu/uploads/media/page/0001/01/d6ce6bbdc7a32d25261065ac152ebabf1d7334be.pdf>, archived at <https://perma.cc/6UDJ-DEVG>. See also CONSTITUCIÓN DE LA REPÚBLICA DE CUBA art. 29-A, reproduced in FIDEL CASTRO ET AL., LEGALIDAD Y PODER POPULAR EN CUBA: CON EL TEXTO COMPLETO DE LA CONSTITUCIÓN CUBANA 230 (Ed. Convergencia, 1976).

- <sup>47</sup> CONSTITUTION OF THE COMMONWEALTH OF DOMINICA, Ch. 1:01, Sched. 1, art. 98, <http://www.dominica.gov.dm/laws/chapters/chap1-01-sch1.pdf>, archived at <https://perma.cc/4QKP-WJEV>. A person born in Dominica on or after November 3, 1978, “shall become a citizen of Grenada at the date of his or her birth” unless his/her father or mother is a diplomat and is not a citizen of Dominica, or if one of the parents is a citizen of a country with which Dominica is at war, and the birth occurs in a place then under occupation by the enemy.
- <sup>48</sup> CONSTITUCIÓN DE LA REPÚBLICA DEL ECUADOR [CONSTITUTION OF THE REPUBLIC OF ECUADOR] art. 7. 1, REGISTRO OFICIAL Oct. 20, 2008, <http://www.wipo.int/edocs/lexdocs/laws/es/ec/ec030es.pdf>, archived at <https://perma.cc/X6SX-75LE>.
- <sup>49</sup> CONSTITUCIÓN DE LA REPÚBLICA DE EL SALVADOR art 90, DIARIO OFICIAL [D.O.], Dec. 16, 1983, [https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117\\_072857074\\_archivo\\_documento\\_legislativo.pdf](https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_072857074_archivo_documento_legislativo.pdf), archived at <https://perma.cc/R9PY-RFV4>. The Constitution of 1962 accorded citizenship to those born in the territory of El Salvador whose father or mother were Salvadorian or a native of one of the Republics of Central America, or whose parents were unknown. CONSTITUCIÓN DE LA REPÚBLICA DE EL SALVADOR, D.O. Jan. 16, 1962.
- <sup>50</sup> British Nationality Act 1981, c. 61 § 1, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>51</sup> British Nationality (Falkland Islands) Act 1983, c. 6 § 1, [http://www.legislation.gov.uk/ukpga/1983/6/pdfs/ukpga\\_19830006\\_en.pdf](http://www.legislation.gov.uk/ukpga/1983/6/pdfs/ukpga_19830006_en.pdf), archived at <https://perma.cc/S3YZ-UU84>.
- <sup>52</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>53</sup> Since 1997, a child born in Fiji is considered a Fijian citizen unless one parent is a diplomat and neither parent is a Fijian citizen. Citizenship of Fiji Decree 2009 (Decree No. 23) s 6, [http://www.paclii.org/fj/promu/promu\\_dec/cofd2009210/](http://www.paclii.org/fj/promu/promu_dec/cofd2009210/), archived at <https://perma.cc/9D3Y-DVK7>; Constitution (Amendment) Act 1997 s 10, [http://www.paclii.org/fj/legis/num\\_act/ca1997268/](http://www.paclii.org/fj/legis/num_act/ca1997268/), archived at <https://perma.cc/6NYB-24UB>. During the ten-year period between October 6, 1987, and July 1997, a person born in Fiji would be a citizen by birth only if one of his/her parents was a Fijian citizen. Constitution of the Sovereign Democratic Republic of Fiji (Promulgation) Decree 1990 s 24, [http://www.paclii.org/fj/promu/promu\\_dec/cotsdrofd1990712/](http://www.paclii.org/fj/promu/promu_dec/cotsdrofd1990712/), archived at <https://perma.cc/X2RD-H3G8>. Previously, under the 1970 Fijian Constitution, in force until September 28, 1987, a person born in Fiji would be a citizen unless his/her father was a diplomat or an enemy alien in a place under enemy occupation. Constitution of Fiji 1970 s 21, [http://www.paclii.org/fj/legis/consol\\_act/fio1970acof403/](http://www.paclii.org/fj/legis/consol_act/fio1970acof403/), archived at <https://perma.cc/H86U-V7SH>. See SIR PAUL REEVES ET AL., THE FIJI ISLANDS: TOWARDS A UNITED FUTURE 92–95 (Report of the Fiji Constitution Review Commission, 1996), <http://www.paclii.org/fj/constitutional-docs-archives/reeves-report/ch6.pdf>, archived at <https://perma.cc/6DUP-D63Q>.
- <sup>54</sup> 12 § 4 MEDBORGARSKAPSLAG [ACT ON CITIZENSHIP] (FFS 16.5.2003/359), <https://www.finlex.fi/sv/laki/ajantasa/2003/20030359>, archived at <https://perma.cc/BCP6-XWF7>.
- <sup>55</sup> *Id.*
- <sup>56</sup> CODE CIVIL [CIVIL CODE] art. 21-7, <https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006070721&idArticle=LEGIARTI000006419825&dateTexte=&categorieLien=cid>, archived at <https://perma.cc/ABK8-SBKP>.
- <sup>57</sup> CODE CIVIL [CIVIL CODE], art. 21-7 (1994-1998), [https://www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=37F749747A3C1DDFF3CE739725AD20C5.tplgfr44s\\_1?idArticle=LEGIARTI000006419825&cidTexte=LEGITEXT000006070721&categorieLien=id&dateTexte=19980831](https://www.legifrance.gouv.fr/affichCodeArticle.do;jsessionid=37F749747A3C1DDFF3CE739725AD20C5.tplgfr44s_1?idArticle=LEGIARTI000006419825&cidTexte=LEGITEXT000006070721&categorieLien=id&dateTexte=19980831), archived at <https://perma.cc/Y7TZ-Y7Y5>.
- <sup>58</sup> CODE DE LA NATIONALITÉ FRANÇAISE [FRENCH NATIONALITY CODE] (1952), art. 44.
- <sup>59</sup> CODE DE LA NATIONALITÉ [CODE OF NATIONALITY], art. 11, <http://www.droit-afrique.com/upload/doc/gabon/Gabon-Code-1999-nationalite.pdf>, archived at <https://perma.cc/G889-55NM>.
- <sup>60</sup> Staatsangehörigkeitsgesetz [StAG] [Nationality Act], July 22, 1913, REICHSGESETZBLATT [RGLB.] [IMPERIAL LAW GAZETTE] at 583, as amended, § 4, para. 3, <http://www.gesetze-im-internet.de/rustag/StAG.pdf>, archived at <http://perma.cc/3NZ5-B89U>, unofficial English translation available at [http://www.gesetze-im-internet.de/englisch\\_rustag/englisch\\_rustag.pdf](http://www.gesetze-im-internet.de/englisch_rustag/englisch_rustag.pdf), archived at <http://perma.cc/UWP3-LTFL>.
- <sup>61</sup> British Nationality Act 1981, c. 61 § 1, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>62</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.

- <sup>63</sup> Grenada Constitution Act, Ch. 128A, § 96, <http://laws.gov.gd/>. A person born in Grenada on or after February 7, 1974, the date of commencement of this Constitution, is a citizen of Dominica at birth unless his/her father or mother are noncitizens and diplomats, or citizens of a country with which Grenada is at war and the birth occurs in a place then under occupation.
- <sup>64</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE GUATEMALA, DIARIO DE CENTRO AMÉRICA, June 3, 1985, art. 144, [https://www.congreso.gob.gt/wp-content/plugins/normativa-constitucional/includes/uploads/docs/1511972586\\_constitucion\\_politica\\_de\\_la\\_republica.pdf](https://www.congreso.gob.gt/wp-content/plugins/normativa-constitucional/includes/uploads/docs/1511972586_constitucion_politica_de_la_republica.pdf), archived at <https://perma.cc/BPN7-Y77E>.
- <sup>65</sup> CODE CIVIL [CIVIL CODE] arts. 36 & 37.
- <sup>66</sup> CODE CIVIL [CIVIL CODE] art. 56.
- <sup>67</sup> CONSTITUTION OF THE CO-OPERATIVE OF THE REPUBLIC OF GUYANA § 43, LAWS OF GUYANA, Ch. 1:01 (in force Oct. 6, 1980), <https://mola.gov.gy/information/laws-of-guyana> (click on “Download” for “Chapter 001:01”), archived at <https://perma.cc/C4LZ-BMPY>.
- <sup>68</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE HONDURAS OF 1982, art. 23, *as amended*, L.G, Jan. 20, 1982, available at <http://www.poderjudicial.gob.hn/CEDIJ/Leyes/Documents/ConstitucionHN2017.pdf>, archived at <https://perma.cc/CV4W-M57C>. Similarly broad provisions existed in the several constitutions in force between the current 1982 Constitution and the 1924 Constitution. The Constitution of 1924 accorded citizenship to those born in Honduras of Honduran parents or domiciled foreigners. CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE HONDURAS OF 1924, art. 7, Sept. 10, 1924, in JORGE A. COELLO, EL DIGESTO CONSTITUCIONAL DE HONDURAS 489 (Tegucigalpa, 1978).
- <sup>69</sup> Citizenship Act, No. 57 of 1955, <https://indiacode.nic.in/bitstream/123456789/1522/3/A1955-57.pdf#search=Citizenship%20Act>, archived at <https://perma.cc/K7VW-G45R>.
- <sup>70</sup> Citizenship (Amendment) Act, 2003, No. 6 of 2004, § 3, substituting a new section of § 3 of the principal 1955 Act, available at [http://www.prsindia.org/uploads/media/vikas\\_doc/docs/acts\\_new/1167485133\\_citizenship\\_amendment.pdf](http://www.prsindia.org/uploads/media/vikas_doc/docs/acts_new/1167485133_citizenship_amendment.pdf), archived at <https://perma.cc/M73C-CCC2>.
- <sup>71</sup> Citizenship Act, No. 57 of 1955, § 3(2)(a). Citizenship by birth is only granted to every person born between July 1, 1987, to the commencement of the 2003 Amending Act if either parents are citizens of India at the time of birth. Citizenship by birth is also granted to a person born after the commencement of the 2003 Amendment if both parents are citizens or one parent is a citizen and the other is not an illegal migrant at the time of the birth. *Id.* § 3(2)(b)-(c).
- <sup>72</sup> Undang-Undang Nomor 3 Tahun 1946 Tentang Warga Negara dan Penduduk Negara [Law No. 3 of 1946 concerning Citizenship of State and State Population], art. 1, <http://www.dpr.go.id/dokjdih/document/uu/816.pdf> (in Indonesian), archived at <https://perma.cc/VN6B-W5PX>. See SUSI DWI HARIJANTI, REPORT ON CITIZENSHIP LAW: INDONESIA 3 (European University Institute, RSCAS/GLOBALCIT-CR 2017/4, Feb. 2017), [http://cadmus.eui.eu/bitstream/handle/1814/45372/GLOBALCIT\\_CR\\_2017\\_04.pdf](http://cadmus.eui.eu/bitstream/handle/1814/45372/GLOBALCIT_CR_2017_04.pdf), archived at <https://perma.cc/3VPW-ZNF6>.
- <sup>73</sup> Law No. 62 of 1958 on Citizenship of the Republic of Indonesia art. 1, available at <http://www.refworld.org/docid/3ae6b4ec8.html> (unofficial English translation), archived at <https://perma.cc/J7HR-BDZL>; Law No. 12 of 2006 on Citizenship of the Republic of Indonesia art. 4, available at <http://www.refworld.org/pdfid/4538aae64.pdf> (unofficial English translation), archived at <https://perma.cc/DU9D-ASPB>. Under both the 1958 law and the 2006 law, children born in Indonesia to parents of undetermined citizenship, or whose parents are stateless or their whereabouts underdetermined, are considered Indonesian citizens.
- <sup>74</sup> Iraqi Nationality Law, Law 26 of 2006, art. 5, Mar. 7, 2006, available at <http://www.refworld.org/docid/4b1e364c2.html>, archived at <https://perma.cc/P25R-77VD>.
- <sup>75</sup> Belfast (Good Friday) Agreement, 1998, Cm. 3883, available at <http://www.nio.gov.uk/agreement.pdf> (unofficial source).
- <sup>76</sup> Irish Nationality and Citizenship Act 1956, No. 26 of 1056, § 6, <http://www.irishstatutebook.ie/eli/1956/act/26/section/6/enacted/en/html#sec6>, archived at <https://perma.cc/WE5T-AVUH>, as amended by Irish Nationality and Citizenship Act 2004, No. 38/2004, <http://www.irishstatutebook.ie/eli/2004/act/38/enacted/en/print.html>, archived at <https://perma.cc/S5UA-XEY7>, commenced by Irish Nationality and Citizenship Act 2004 (Commencement) Order 2004, SI 2004/873, <http://www.irishstatutebook.ie/eli/2004/si/873/made/en/print>, archived at <https://perma.cc/75MU-XLT5>.
- <sup>77</sup> Irish Nationality and Citizenship Act 1956, No. 26 of 1056, § 6, <http://www.irishstatutebook.ie/eli/1956/act/26/section/6/enacted/en/html#sec6>, archived at <https://perma.cc/WE5T-AVUH>.
- <sup>78</sup> Nationality Law, 5712-1952, § 4A(a)–(b), SEFER HAHUKIM [BOOK OF LAWS (official gazette)] No. 95 p. 146, *as amended*.



- <sup>79</sup> Jamaica (Constitution) Order in Council 1962, Ch. 2, § 3B, JAMAICA MINISTRY OF JUSTICE, <https://jis.gov.jm/media/Ja-Constitution-Order-in-Council-1962-full.pdf>, archived at <https://perma.cc/74QH-VNT9>; see also *Requirements for Citizenship by Birth/Adoption/Descent*, CONSULATE GENERAL OF JAMAICA, MIAMI, FLORIDA, <http://www.jamaicacgmiami.org/page/citizenship-by-birth/> (last visited Nov. 1, 2018), archived at <https://perma.cc/N986-C9RN>.
- <sup>80</sup> Kosovar Law on Citizenship, Arts. 7, English translation available at [http://www.assembly-kosova.org/common/docs/ligjet/2008\\_03-L034\\_en.pdf](http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L034_en.pdf), archived at <https://perma.cc/HE2K-U35J>.
- <sup>81</sup> LESOTHO CONSTITUTION, 1993 (as amended through 1998), § 38, available at [https://www.constituteproject.org/constitution/Lesotho\\_1998.pdf?lang=en](https://www.constituteproject.org/constitution/Lesotho_1998.pdf?lang=en), archived at <https://perma.cc/M38E-AB2B> (“every person born in Lesotho after the coming into operation of this Constitution shall become a citizen of Lesotho.”). This does not include a person one or both of whose parents was a diplomat at the time of birth. *Id.* It also does not include a person at least one of whose parents is an “enemy alien and the birth occurs in a place then under occupation by the enemy.” *Id.* The 1971 Citizenship Order included a similar *jus soli* rule. Lesotho Citizenship Order 16 of 1971, § 5, available at <https://www.lesothotradeportal.org.ls/kcfinder/upload/files/CITIZENSHIP%20ORDER%201971.pdf>, archived at <https://perma.cc/8W7Z-BAFV>. The 1967 Citizenship Act does not appear to have accorded similar rights. Lesotho Citizenship Act of 1967. However, it seems that the law in place prior to the enactment of the 1967 Citizenship Act included a qualified *jus soli* rule. Lesotho Independence Act of 1966, § 3, XI THE LAWS OF LESOTHO (1966).
- <sup>82</sup> Aliens and Nationality Law of 1973, § 20.1, available at <http://www.liberlii.org/cgi-bin/disp.pl/lr/legis/codes/aanlt4lcolr505/aanlt4lcolr505.html?stem=0&synonyms=0&query=Definition%20of%20Negro>, archived at <https://perma.cc/EZS6-5Q3A>.
- <sup>83</sup> CONSTITUTION OF THE REPUBLIC OF LIBERIA, 1986, art. 27(b), available at <http://www.wipo.int/edocs/lexdocs/laws/en/lr/lr003en.pdf>, archived at <https://perma.cc/9EXX-MF5X>. The 1847 Constitution provided a similar restriction, stating that “[n]one but persons of color shall be admitted to citizenship in this republic.” CONSTITUTION OF THE REPUBLIC OF LIBERIA, 1847, § 13, available at [http://www.palatauruscentrostudi.eu/doc/LBR\\_Constitution\\_1847\\_EN.pdf](http://www.palatauruscentrostudi.eu/doc/LBR_Constitution_1847_EN.pdf), archived at <https://perma.cc/HJA5-KB5Y>.
- <sup>84</sup> Loi du 8 mars 2017 sur la nationalité luxembourgeoise, telle que modifiée par la loi du 20 juillet 2018 [Law of 8 March 2017 on Luxembourg Nationality, as Amended by the Law of 20 July 2018], art. 4, [http://mj.public.lu/nationalite/Texte\\_coordonne\\_loi\\_modifiee\\_8mars2017nationalite\\_lux.pdf](http://mj.public.lu/nationalite/Texte_coordonne_loi_modifiee_8mars2017nationalite_lux.pdf), archived at <https://perma.cc/U38X-Y8A3>.
- <sup>85</sup> Loi du 8 mars 2017 sur la nationalité luxembourgeoise, telle que modifiée par la loi du 20 juillet 2018 [Law of 8 March 2017 on Luxembourg Nationality, as Amended by the Law of 20 July 2018], art. 6, [http://mj.public.lu/nationalite/Texte\\_coordonne\\_loi\\_modifiee\\_8mars2017nationalite\\_lux.pdf](http://mj.public.lu/nationalite/Texte_coordonne_loi_modifiee_8mars2017nationalite_lux.pdf), archived at <https://perma.cc/U38X-Y8A3>.
- <sup>86</sup> *Id.* art. 14 & sch. 2 pts. I & II.
- <sup>87</sup> FEDERAL CONSTITUTION OF MALAYSIA 1957, art. 14 (original version contained in notes to current art. 14) & sch. 2 pt. I, [http://www.agc.gov.my/agcportal/uploads/files/Publications/FC/Federal\\_Consti\\_\(BI\\_text\).pdf](http://www.agc.gov.my/agcportal/uploads/files/Publications/FC/Federal_Consti_(BI_text).pdf), archived at <https://perma.cc/C4B6-GL2X>.
- <sup>88</sup> CODE DE LA NATIONALITÉ DU MALI [CODE OF NATIONALITY OF MALI], art. 12, <http://www.reforme-justice.gouv.ml/PRODEJ/pdf/02-nationalite.pdf>, archived at <https://perma.cc/6BBU-35R6>.
- <sup>89</sup> CODE DE LA NATIONALITÉ DU MALI [CODE OF NATIONALITY OF MALI], art. 27, <http://www.reforme-justice.gouv.ml/PRODEJ/pdf/02-nationalite.pdf>, archived at <https://perma.cc/6BBU-35R6>.
- <sup>90</sup> Maltese Citizenship Act, cap. 188, art. 5, <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8702&l=1>, archived at <https://perma.cc/7WU7-47MJ>.
- <sup>91</sup> Malta Independence Order 1964, art. 26, <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12466&l=1>, archived at <https://perma.cc/5964-9N8T>.
- <sup>92</sup> CONSTITUCIÓN POLÍTICA DE LOS ESTADOS UNIDOS MEXICANOS [POLITICAL CONSTITUTION OF THE MEXICAN UNITED STATES] art. 30-A(I), D.O.F, Feb. 5, 1917, available as amended through Aug. 2018 at [http://www.diputados.gob.mx/LeyesBiblio/pdf/1\\_270818.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/1_270818.pdf), archived at <https://perma.cc/9TF4-LW5H>. See also Decreto que reforma el art. 30 de la Constitucion Politica, art. 30, D.O.F, Jan. 18, 1934, available at [http://www.diputados.gob.mx/LeyesBiblio/ref/dof/CPEUM\\_ref\\_016\\_18ene34\\_ima.pdf](http://www.diputados.gob.mx/LeyesBiblio/ref/dof/CPEUM_ref_016_18ene34_ima.pdf), archived at <https://perma.cc/2Z4S-UJ6P>.
- <sup>93</sup> CODE CIVIL [CIVIL CODE] art. 8, <https://www.legimonaco.mc/305/legismclois.nsf/Code/05F01559E22C44CDC125773F0028EDFA!OpenDocument>, archived at <https://perma.cc/S2DV-RVD6>.
- <sup>94</sup> CODE CIVIL [CIVIL CODE] art. 8, <https://www.legimonaco.mc/305/legismclois.nsf/Code/05F01559E22C44CDC125773F0028EDFA!OpenDocument>, archived at <https://perma.cc/S2DV-RVD6>.
- <sup>95</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.

- <sup>96</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>97</sup> NAMIBIAN CONSTITUTION, 1990 (as amended through 2014), art. 4, [https://laws.parliament.na/cms\\_documents/namibian-constitution-e77d13246a.pdf](https://laws.parliament.na/cms_documents/namibian-constitution-e77d13246a.pdf), archived at <https://perma.cc/5649-VYU9>. This excludes children of diplomats, children of or persons “who are members of any police, military or security unit seconded for service within Namibia by the Government of another country,” or children of illegal immigrants. *Id.*
- <sup>98</sup> *Id.* This does not include children of diplomats. *Id.* It also does not include children whose parents were “members of any police, military or security unit seconded for service within Namibia by the Government of another country” unless “the fathers or mothers of such persons claiming citizenship were ordinarily resident in Namibia at the date of the birth of such persons, and had been so resident for a continuous period of not less than five (5) years prior to such date.” *Id.*
- <sup>99</sup> Nepal Citizenship Act 2063 (2006), Rule 4, available at <http://www.refworld.org/pdfid/4bbca97e2.pdf>, archived at <https://perma.cc/8497-WCA2>; see also SABIN SHRESTHA, GLOBAL CITIZENSHIP OBSERVATORY, ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES, REPORT ON CITIZENSHIP LAW: NEPAL 11 (Mar. 2017), [http://cadmus.eui.eu/bitstream/handle/1814/45932/GLOBALCIT\\_CR\\_2017\\_08.pdf](http://cadmus.eui.eu/bitstream/handle/1814/45932/GLOBALCIT_CR_2017_08.pdf), archived at <https://perma.cc/D7NM-2Z48>.
- <sup>100</sup> Nepal Citizenship Rules, 2063 (2006), § 4 <http://www.lawcommission.gov.np/en/wp-content/uploads/2018/09/nepal-citizenship-rules-2063-2006.pdf>, archived at <https://perma.cc/D7NM-2Z48>.
- <sup>101</sup> Rijkswet op het Nederlandschap [Kingdom Act on Dutch Citizenship], Dec. 19, 1984, STAATSBLAD VAN HET KONINKRIJK DER NEDERLANDEN [STB.] [OFFICIAL GAZETTE OF THE KINGDOM OF THE NETHERLANDS] 1984, no. 628, art. 6, para. 1a), <http://wetten.overheid.nl/jci1.3:c:BWBR0003738&z=2018-08-01&g=2018-08-01>, archived at <http://perma.cc/HP6K-HZ4W>.
- <sup>102</sup> Citizenship Amendment Act 2005 s 5, [http://www.nzlii.org/nz/legis/hist\\_act/caa20052005n43255/](http://www.nzlii.org/nz/legis/hist_act/caa20052005n43255/), archived at <https://perma.cc/26ET-QBXC>; Citizenship Act 1977 s 6 (current), <http://www.legislation.govt.nz/act/public/1977/0061/latest/whole.html>, archived at <https://perma.cc/V3TD-TAME>.
- <sup>103</sup> British Nationality and New Zealand Citizenship Act 1948 s 6 (as enacted), [http://www.nzlii.org/nz/legis/hist\\_act/bnanzca19481948n15493/](http://www.nzlii.org/nz/legis/hist_act/bnanzca19481948n15493/), archived at <https://perma.cc/C49D-8K7D>; Citizenship Act 1977 s 6 (as enacted), [http://www.nzlii.org/nz/legis/hist\\_act/ca19771977n61175/](http://www.nzlii.org/nz/legis/hist_act/ca19771977n61175/), archived at <https://perma.cc/L9KV-2MS5>.
- <sup>104</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE NICARAGUA art. 16, originally published in LA GACETA, Jan. 9, 1987, republished with all amendments in LA GACETA, Feb. 18, 2014, <https://ministeriopublico.gob.ni/wp-content/uploads/2016/05/constitucion.pdf>, archived at <https://perma.cc/L3CR-EFHD>. Includes citizenship opt-in provision for children of foreign diplomats and dignitaries born in the country. *Id.* Other twentieth-century constitutions preceding the 1987 Constitution had similar and in some cases identical provisions. See Vols. 1, 2 LAS CONSTITUCIONES POLÍTICAS Y SUS REFORMAS EN LA HISTORIA DE NICARAGUA (Antonio Esgueva Gómez ed., Editorial IHNCA (UCA), June 2000).
- <sup>105</sup> CODE CIVIL [CIVIL CODE], art. 8.
- <sup>106</sup> Pakistan Citizenship Act, No. 2 of 1951, § 4, <http://www.refworld.org/pdfid/3ae6b4ffa.pdf>, archived at <https://perma.cc/D2NH-WJ3E>. While the Citizenship Act supports unconditional birthright citizenship, the citizenship claims of children of Afghan refugees born in Pakistan appear to be denied by Pakistan’s government “both at administrative and judicial levels.” According to one report, “[n]o statutory provision of law expressly deals with status of citizenship of refugees and especially, Afghan refugees in Pakistan. With regards to citizenship by birth the case of Afghan Refugees is of special importance, as the status of citizenship is not extended to them even if a child of a refugee is born in Pakistan.” As summarized by the same report the High Court of Peshawar had “pronounced that the children of Afghan refugees cannot claim citizenship by birth as their parents have a recognized refugee status and they would be deemed foreigners and aliens under the law. The Afghan refugees were provided temporary refuge in the country and the governing law for them is the Foreigners Act, 1946.” FARYAL NAZIR, GLOBAL CITIZENSHIP OBSERVATORY, ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES, REPORT ON CITIZENSHIP LAW: PAKISTAN 5-6 (Country Report 2016/13, Dec. 2016), [http://cadmus.eui.eu/bitstream/handle/1814/44544/EudoCit\\_2016\\_13Pakistan.pdf?sequence=1](http://cadmus.eui.eu/bitstream/handle/1814/44544/EudoCit_2016_13Pakistan.pdf?sequence=1), archived at <https://perma.cc/95QH-L8TB>.
- <sup>107</sup> CONSTITUCIÓN POLÍTICA DE LA REPÚBLICA DE PANAMÁ [POLITICAL CONSTITUTION OF THE REPUBLIC OF PANAMA], as amended, art. 9-I, G.O., Oct. 24, 1972 (original publication), Nov. 15, 2004 (republishing with amendments), <https://www.constitucion.gob.pa/tmp/file/1/Texto-editado-por-la-Asamblea-Nacional.pdf>, archived at <https://perma.cc/7KQW-SXJ3>.
- <sup>108</sup> CONSTITUCIÓN DE LA REPÚBLICA DEL PARAGUAY [CONSTITUTION OF THE REPUBLIC OF PARAGUAY] art. 146.1, GACETA OFICIAL, June 22, 1992, [http://www.diputados.gov.py/ww5/application/files/9114/8033/7753/constitucion\\_espanol1992.compressed.pdf](http://www.diputados.gov.py/ww5/application/files/9114/8033/7753/constitucion_espanol1992.compressed.pdf), archived at <https://perma.cc/NX2Z-ZWDQ>.

- <sup>109</sup> CONSTITUCIÓN POLÍTICA DEL PERÚ [POLITICAL CONSTITUTION OF PERÚ] art. 52 para 1, EL PERUANO, Dec. 30, 1993, [https://www.web.onpe.gob.pe/modCompendio/html/constitucion\\_peruana/constitucion\\_titulo2\\_capitulo1.html](https://www.web.onpe.gob.pe/modCompendio/html/constitucion_peruana/constitucion_titulo2_capitulo1.html), archived at <https://perma.cc/K9CX-GXNJ>.
- <sup>110</sup> Lei No. 37/81, de 03 de Outubro, *as amended by* Lei Orgânica No. 2/2018, de 05 de Julho, art. 1(1)(e), 1 [http://www.pgdlisboa.pt/leis/lei\\_mostra\\_articulado.php?nid=614&tabela=leis](http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=614&tabela=leis), archived at <https://perma.cc/4N5V-DUCB>.
- <sup>111</sup> *Id.* art. 1(1)(f).
- <sup>112</sup> CODE DE LA NATIONALITÉ RWANDAISE [RWANDAN NATIONALITY CODE] art. 8, [http://www.ambarwanda-paris.fr/nationalite/Loi\\_Nationalite.pdf](http://www.ambarwanda-paris.fr/nationalite/Loi_Nationalite.pdf), archived at <https://perma.cc/9TU7-4YE3>.
- <sup>113</sup> Presidential Order No. 21-01 of 27/05/2009 Establishing the Procedure for the Application and Acquisition of Rwandan Nationality art. 6, <http://www.ambarwanda-paris.fr/docNationalite/Nationalite.pdf>, archived at <https://perma.cc/K8ZB-M346>.
- <sup>114</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.
- <sup>115</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.
- <sup>116</sup> CONSTITUTION OF SAINT CHRISTOPHER AND NEVIS §§ 90–91, LAWS OF SAINT LUCIA (rev. ed. Dec. 31, 2001), Ch. 1.01, available at [http://www.oas.org/juridico/PDFs/mesicic5\\_skn\\_constitution\\_annex1.pdf](http://www.oas.org/juridico/PDFs/mesicic5_skn_constitution_annex1.pdf), archived at <https://perma.cc/BCY5-GK6M>.
- <sup>117</sup> CONSTITUTION OF SAINT LUCIA §§ 99–100, LAWS OF SAINT LUCIA, Ch. 1.01 (in force Feb. 22, 1979), <http://www.govt.lc/media.govt.lc/www/resources/legislation/ConstitutionOfSaintLucia.pdf>, archived at <https://perma.cc/VF85-8VML>.
- <sup>118</sup> CONSTITUTION OF SAINT VINCENT AND THE GRENADINES 1979, 1 LAWS OF SAINT VINCENT AND THE GRENADINES (rev. ed. 1990), available as amended through November 11, 2005, at [http://www.wipo.int/wipolex/en/text.jsp?file\\_id=234369](http://www.wipo.int/wipolex/en/text.jsp?file_id=234369), archived at <https://perma.cc/QG2F-536Y>.
- <sup>119</sup> Citizenship of Western Samoa Ordinance 1959, s 3; Citizenship Act 1972, s 4.
- <sup>120</sup> Citizenship of Western Samoa Ordinance 1959, s 8; Citizenship Act 1972, s 15.
- <sup>121</sup> Citizenship Act 2004 s 6, [http://www.paclii.org/ws/legis/consol\\_act/ca2004148/](http://www.paclii.org/ws/legis/consol_act/ca2004148/), archived at <https://perma.cc/RL8C-PWHB>.
- <sup>122</sup> Lei 6/90, art. 5(1)(f), <https://www.legis-palop.org/results.jsp?l&vc&load=34019> (by subscription only).
- <sup>123</sup> Loi No. 61-10 du 7 mars 1961 déterminant la nationalité sénégalaise [Law No.61-10 of 7 March 1961 Determining Senegalese Nationality], art. 1, <http://www.servicepublic.gouv.sn/assets/textes/T-nationalite-senegalaise.pdf>, archived at <https://perma.cc/76NU-BLQM>.
- <sup>124</sup> Singapore Citizenship Ordinance (No. 35 of 1957) s 4, 1957 SUPPLEMENT TO THE LAWS OF THE COLONY OF SINGAPORE 508, 509 (1959).
- <sup>125</sup> CONSTITUTION OF THE REPUBLIC OF SINGAPORE (original enactment S 1/63, Aug. 9, 1965, last amended Apr. 1, 2017) art. 121, [https://sso.agc.gov.sg/Act/CONS1963?ViewType=Pdf&\\_id=20180601202418](https://sso.agc.gov.sg/Act/CONS1963?ViewType=Pdf&_id=20180601202418), archived at <https://perma.cc/4VLY-REFS>.
- <sup>126</sup> South Africa Citizenship Amendment Act 17 of 2010, § 2(3), 546 GOVERNMENT GAZETTE, No. 33850 (Dec. 7, 2010), [https://www.gov.za/sites/default/files/a17\\_2010\\_0.pdf](https://www.gov.za/sites/default/files/a17_2010_0.pdf), archived at <https://perma.cc/6R5X-RNG5>; Proc. 70/2012, [https://www.gov.za/sites/default/files/36054\\_p70.pdf](https://www.gov.za/sites/default/files/36054_p70.pdf), archived at <https://perma.cc/4E36-C23M>.
- <sup>127</sup> CÓDIGO CIVIL [CIVIL CODE] art. 17(1)(a)–(d), BOLETÍN OFICIAL DEL ESTADO, July 25, 1889, <https://www.boe.es/buscar/pdf/1889/BOE-A-1889-4763-consolidado.pdf>, archived at <https://perma.cc/P9C5-MQ35>.
- <sup>128</sup> Tanzania Citizenship Act 6 of 1995, § 5, IX LAWS OF TANZANIA, Cap. 354 (rev. ed. 2010) (persons born in Tanzania on or after April 1964 deemed citizens). This does not apply to a person whose father was a diplomat, or if either of his/her parents is an enemy of the state and the child’s birth occurred in an area under enemy occupation. *Id.* Note, however, that Tanzania may soon revoke unrestricted birthright citizenship.



The 2014 Draft Constitution would limit citizenship for persons born in Tanzania to those with at least one Tanzanian citizen parent at the time of birth. PROPOSED DRAFT CONSTITUTION OF TANZANIA § 67 (Sept. 2014), available at [http://www.constitutionnet.org/sites/default/files/the\\_proposed\\_constitution\\_of\\_tanzania\\_sept\\_2014.pdf](http://www.constitutionnet.org/sites/default/files/the_proposed_constitution_of_tanzania_sept_2014.pdf), archived at <https://perma.cc/W2LS-6KRV>.

<sup>129</sup> Nationality Act, B.E. 2508 (1965), amended by Nationality Act (No. 5), B.E. 2555 (2012), arts. 7 & 7 bis, <http://www.krisdika.go.th/wps/wcm/connect/d04a0b004079778294e69c5e38a680a3/NATIONALITY+ACT%2C+B.E.+2508+%281965%29.pdf?MOD=AJPERES&CACHEID=d04a0b004079778294e69c5e38a680a3> (unofficial translation), archived at <https://perma.cc/4G2T-AVSQ>.

<sup>130</sup> *Id.* art. 3(2)(c).

<sup>131</sup> CODE DE LA NATIONALITÉ TOGOLAISE [TOGOLESE NATIONALITY CODE], art. 1.

<sup>132</sup> CODE DE LA NATIONALITÉ TOGOLAISE [TOGOLESE NATIONALITY CODE] art. 8.

<sup>133</sup> CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO § 17, LAWS OF TRINIDAD AND TOBAGO, Act 4 of 1976 (in force Aug. 1, 1976), available at [https://www.oas.org/juridico/english/mesicic3\\_tto\\_constitution.pdf](https://www.oas.org/juridico/english/mesicic3_tto_constitution.pdf), archived at <https://perma.cc/EJD7-XXFU>.

<sup>134</sup> British Nationality Act 1981, c. 61 § 15 & sched. 9, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.

<sup>135</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.

<sup>136</sup> British Nationality Act 1981, c. 61, § 1, <http://www.legislation.gov.uk/ukpga/1981/61/data.pdf>, archived at <https://perma.cc/VC4J-ZEWU>.

<sup>137</sup> *Id.*

<sup>138</sup> 422 PARL. DEB. H.L. (5th ser.) (1981) 595, [https://api.parliament.uk/historic-hansard/lords/1981/jul/07/british-nationality-bill#column\\_595](https://api.parliament.uk/historic-hansard/lords/1981/jul/07/british-nationality-bill#column_595), archived at <https://perma.cc/92R7-QNV3>.

<sup>139</sup> Calvin's Case (1608) 77 Eng. Rep. 377.

<sup>140</sup> British Nationality Act 1948, c. 11 & 12 Geo. 6, c. 56 § 4, [http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga\\_19480056\\_en.pdf](http://www.legislation.gov.uk/ukpga/1948/56/pdfs/ukpga_19480056_en.pdf), archived at <https://perma.cc/D6DL-7NGC>.

<sup>141</sup> CONSTITUCIÓN DE LA REPÚBLICA ORIENTAL DEL URUGUAY [CONSTITUTION OF THE ORIENTAL REPUBLIC OF URUGUAY] art. 74, DIARIO OFICIAL, Feb. 15, 1967, <https://www.impo.com.uy/bases/constitucion/1967-1967>, archived at <https://perma.cc/B4BK-SUVY>.

<sup>142</sup> CONSTITUCIÓN DE LA REPÚBLICA ORIENTAL DEL URUGUAY [CONSTITUTION OF THE ORIENTAL REPUBLIC OF URUGUAY] art. 32.1, GACETA OFICIAL, Dec. 30, 1999, [http://cne.gov.ve/web/normativa\\_electoral/constitucion/indice.php](http://cne.gov.ve/web/normativa_electoral/constitucion/indice.php), archived at <https://perma.cc/8VLC-CWMH>.

<sup>143</sup> Law No. 6 of 1990, art. 4(b), *Al-Jarida Al-Rasmiyya*, vol. 7, 26 Aug. 1990 (in Arabic), available at [https://www.yemen-nic.info/db/laws\\_ye/detail.php?ID=11266](https://www.yemen-nic.info/db/laws_ye/detail.php?ID=11266), archived at <https://perma.cc/DVN9-6MFR>, unofficial English translation available at <http://www.refworld.org/country/LEGAL,,LEGISLATION,YEM,,3ae6b57b10.0.html>, archived at <https://perma.cc/PG8C-LR3K>. Article 10 of the Executive Regulation of Law No. 6 of 1990, issued by Presidential Decree No. 3 of 1994 identifies documents required in the citizenship application in the case described under article 4(b) of Law No. 6 of 1990. It stipulates that a foreigner who wishes to acquire Yemeni citizenship in accordance with article 4(b) of the law must submit the following documents: (1) an official document establishing the citizenship of the two foreign parents, such as identity cards or passports; (2) a birth certificate issued in Yemen; (3) a good character and conduct certificate confirming that he/she has not been convicted for a criminal offense or committed a crime against morals; and (4) a medical certificate confirming that he or she is free of any disabilities and mentally stable.