

civil registrar shall, acting on information laid before his officers and at the instance of the Law Officers' Department and after due notice to the person affected, if the charge is proved proceed to cancel the naturalization certificate. An appeal from his decision shall lie to the Supreme Court of Elections within five days after notification.

. . .
Article 23. Provisions of treaties relating to citizenship, aliens, naturalization, and the rights and duties of aliens shall continue in force.

Article 24. Act No. 25 of 13 May 1889 as amended is hereby repealed.

Article 25. This Act shall enter into force on publication.

Transitional clause. An application for naturalization pending on the entry into force of this Act shall, unless the applicant is prejudiced thereby, continue to be dealt with according to the provisions of statute and regulation in force when it was submitted.

19. Cuba

CONSTITUTION OF 4 APRIL 1952.¹

TITLE II. NATIONALITY

Article 8. Citizenship implies duties and rights, the proper exercise of which shall be regulated by statute.

Article 9. Every Cuban is obliged:

(a) To serve the country with arms, in the cases and in the manner established by statute;

(b) To contribute to the public expenses in the manner and amount directed by statute;

(c) To comply with this Constitution and with the laws of the Republic, to behave as a good citizen, and to inculcate this practice in his own children and those under his care by instilling in them the purest spirit of patriotism.

Article 10. Every citizen is entitled:

(a) To reside in his country without being subjected to discrimination or extortion of any kind, regardless of his race, class, political opinions or religious belief;

(b) To vote in accordance with statute at all elections and referenda called in the Republic;

(c) To receive the benefits of social assistance and public co-operation, subject in the former case to proof that he is destitute;

(d) To perform public functions and hold public office;

(e) To enjoy the priority prescribed by this Constitution and by statute with respect to employment.

Article 11. Cuban citizenship is acquired by birth or by naturalization.

Article 12. The following persons are Cubans by birth:

(a) Every person born in the territory of the Republic otherwise than to an alien in the service of his government.

(b) Every person born in foreign territory to a Cuban father or mother, by virtue solely of taking up residence in Cuba.

¹ *Ley Constitucional para la República de Cuba*, pub. Editora Continental, S.A., 1952. Translation by the Secretariat of the United Nations.

(c) Every person born outside the territory of the Republic to a native-born Cuban father or mother who has lost Cuban nationality, who claims Cuban citizenship in the manner and subject to the conditions prescribed by statute.

(d) Every alien who has served for one year or more in the Army of Liberation and remained therein until the termination of the war of independence, and who proves such service and permanence by producing an authentic document issued from the National Archives.

Article 13. The following persons are Cubans by naturalization:

(a) Every alien who, after five years' continuous residence in the territory of the Republic and not less than one year after declaring his intention to acquire Cuban nationality, obtains citizenship papers in accordance with statute and is familiar with the Spanish language.

(b) Every alien of either sex who marries a Cuban, if children are born of the marriage or if the alien resides in the country continuously for two years after contracting the marriage; provided that he first renounces his nationality of origin.

Article 14. No fee shall be payable in respect of citizenship papers or certificates of Cuban nationality.

Article 15. A person shall lose Cuban citizenship:

(a) If he acquires a foreign citizenship;

(b) If, without permission of the Council of Ministers, he enters the military service of another nation or accepts an appointment which carries with it a separate authority or jurisdiction;

(c) If, being Cuban by naturalization, he resides for three consecutive years in the country of his birth, unless every three years he makes a declaration before the competent consular authority to the effect that he wishes to retain Cuban citizenship;

Provisions of law may be enacted to specify what offences or causes of disgrace shall entail the loss, to be ordered by final decision of a competent court, of citizenship acquired by naturalization;

(d) if, being naturalized, he accepts a double citizenship.

Loss of citizenship for a reason specified in paragraph (b) or (c) of this article shall be made effective only by final judgment delivered in a contested (*contradictorio*) hearing conducted in a court of justice in accordance with statute.

Article 16. Neither marriage nor the dissolution of marriage shall affect the nationality of the spouses or their children.

A Cuban woman married to an alien shall retain Cuban nationality.

An alien of either sex who marries a Cuban shall retain his nationality of origin or shall acquire Cuban nationality by option in accordance with this Constitution, with statute, or with an international treaty.

Article 17. Cuban citizenship may be recovered in the manner prescribed by statute.

Article 18. A Cuban by naturalization may not perform on behalf of Cuba official functions in his country of origin.