

(c) LOI N° 378 DU 6 AOÛT 1953 RELATIVE À L'EXEMPTION DES MEMBRES
DES COMMUNAUTÉS RELIGIEUSES NON ISLAMIQUES DU DÉLAI FIXÉ À
L'ALINÉA 1^{er} DE L'ARTICLE 10 DE LA LOI N° 160 DE 1950 SUR
LA NATIONALITÉ ÉGYPTIENNE ¹.

Article 1. Les membres des communautés religieuses non musulmanes (à déterminer par décret) sont dispensés de la condition d'expiration du délai de cinq ans prévu à l'article 10, alinéa 1) de la loi précitée, en ce qui concerne l'exercice de leurs droits dans les élections des *mèglisimilli* dont ils relèvent et de leur mandat au sein de ces *mèglis*.

Article 2. La présente loi entrera en vigueur au jour de sa publication au Journal Officiel. Le Ministre de l'Intérieur est chargé de son exécution.

25. El Salvador

(a) CONSTITUTION OF 7 SEPTEMBER 1950. ²

TITLE II. SALVADORIANS AND ALIENS.

Article 11. The following are Salvadorians by birth:

(1) Those born in the territory of El Salvador, whose father or mother is Salvadorian or natives of any of the Central American Republics or of unknown parentage.

(2) The children of a Salvadorian father or mother, born abroad, who have not obtained another nationality.

(3) The descendants of children of aliens, born in El Salvador, who within one year of attaining their majority do not opt for the nationality of the parents.

(4) Nationals of the other States which constituted the Federal Republic of Central America who, having their domicile in El Salvador, declare before the competent authority their intention to become Salvadorians.

Article 12. The following are Salvadorians by naturalization:

(1) The children of foreign parents born in El Salvador, who within one year of attaining their majority declare before a competent authority that they opt for Salvadorian nationality.

(2) Spaniards and Spanish-Americans by birth, who give proof before the competent authority of good conduct and one year's residence in the country.

(3) Aliens of whatever other origin who, in conformity with the law, prove their good conduct and five years' residence in the country, and that they have a profession, occupation, or other honest way of earning their livelihood.

(4) Those who for notable services rendered to the Republic obtain this status from the Legislative Power.

(5) The alien who, having two years' residence in the country, contracts matrimony with a Salvadorian woman, and the alien woman who under similar circumstances marries a Salvadorian man, when at the time of the marriage they opt for Salvadorian nationality; and aliens who, having

¹ Traduit par le Secrétariat des Nations Unies.

² Pan American Union, Law and Treaty Series, Washington, D.C., 1953, pp. 2-4.

married Salvadorians, and having two years' residence in the country, apply for naturalization from the competent authority.

Those persons who become naturalized must expressly renounce any other nationality.

The naturalization of minors shall be regulated by the law.

Article 13. Salvadorian nationality is lost by the voluntary acquisition of another nationality.

Salvadorians by birth who become naturalized in a foreign country can recover their original status by applying to the competent authority and proving that they have resided in the country for two consecutive years after their return. However, if they become naturalized in any of the States which formed the Federal Republic of Central America, they can recover their status of Salvadorians by birth by taking residence in El Salvador and requesting it from the competent authority.

Article 14. The status of Salvadorians and other Central Americans who adopt the nationality of any one of the States which formed part of the Federal Republic of Central America can be regulated by treaties, with the purpose of retaining their nationality of origin.

Article 15. The status of naturalized Salvadorian is lost:

(1) By residing more than two consecutive years in the country of origin or by being absent from the territory of the Republic for more than five consecutive years except in cases where permission has been granted in conformity with the law.

(2) By executed sentence, in cases which are laid down by the law. When nationality is lost in this way, it shall not be possible to recover it.

Article 16. Juridical persons constituted in conformity with the law of the Republic, and having their legal domicile in the country, are Salvadorians.

The regulations that the laws lay down in favour of Salvadorians cannot be violated by the constitution of Salvadorian juridical persons, the majority of whose membership and capital is foreign.

(b) ALIENS ACT ¹ OF 27 SEPTEMBER 1886.

CHAPTER I. SALVADORIAN NATIONALS AND ALIENS

*Article 1.*² The persons listed in articles 42, 43 and 44 of the Constitution are Salvadorian nationals by birth or naturalization.

Article 2. (1) A person born outside the national territory who is a subject of a foreign government and has not become naturalized in El Salvador shall be an alien.

(2) A person born to an alien father or to an alien mother and an unknown father in Salvadorian territory shall be an alien until under the law of the State of his father or mother (as the case may be) he comes of age. After the expiry of one year therefrom he shall, unless he has made before

¹ *Anuario de Legislación de la República de El Salvador*, 1886, pages 90-95. Translation by the Secretariat of the United Nations.

² Note: See article 12 above of the new Constitution of 7 September 1950. Articles 21, 22, 23, 24, 25, 29, 39, 52 and 57 of this law were amended in 1897, 1900, 1933 and 1944.

the governor of the district in which he resides a declaration that he retains the nationality of his parent, be deemed to be a Salvadorian national.

(3) A female national of El Salvador who marries a foreign national shall if widowed retain her foreign nationality. On dissolution of her marriage a female national of El Salvador by birth may recover her nationality if she establishes residence in the Republic and declares before the proper governor her intention to recover her nationality.

A female national of El Salvador who does not acquire the nationality of her husband by marriage according to the law of his country shall retain her own nationality.

Subject to the foregoing rule, where a man changes his nationality after marriage, his wife and his minor children subject to parental authority shall, if they reside in the country in which he is naturalized, take his new nationality.

(4) A Salvadorian national who becomes naturalized in another country and transfers his residence thither shall be an alien.

(5) A person who enters the official service of a foreign government in any political, administrative, judicial or diplomatic capacity without the permission of the Legislature required by article 53, paragraph 4, of the Constitution shall be an alien.

Article 3. For the purpose of determining place of birth within the meaning of the foregoing articles it is hereby declared that every Salvadorian vessel without exception is part of the national territory and a person born aboard thereof shall be deemed to have been born within the Republic.

Article 4. By virtue of the right of extraterritoriality enjoyed by diplomatic agents, no child of a minister or employee of a Salvadorian legation shall be deemed for the purposes of this Act to have been born abroad.

Article 5. The nationality of a legal person or corporation shall be governed by the statute under which it is formed, so that if formed under Salvadorian law and legally domiciled in El Salvador it shall be deemed to be a national thereof.

Without prejudice to the law of El Salvador, alien legal persons shall enjoy therein the rights accorded to them by the law of their country of domicile.

CHAPTER II. EMIGRATION AND NATURALIZATION

Article 6. The Republic of El Salvador recognizes that the right to emigrate is a natural possession of every person and necessary for the enjoyment of individual freedom; it therefore allows its own inhabitants to exercise this right by leaving its territory and settling abroad, and likewise protects the right of an alien of any nationality to settle within its jurisdiction. It accordingly admits subjects or citizens of other States and naturalizes them in accordance with the provisions of the Constitution and of this Act.

Article 7. An offender shall not be exempted by emigration and subsequent naturalization from extradition, prosecution and punishment in virtue of a treaty, international practice or the law of the land.

Article 8. A person naturalized in El Salvador shall be entitled even abroad to the same protection of his person and property by the Government of the Republic as is a Salvadorian national by birth; but if he returns to

his country of origin he shall be liable under its law for any act done by him before his naturalization.

Article 9. The Salvadorian Government shall protect Salvadorian citizens abroad by the means permitted by international law. The Executive shall use those means in its discretion unless they would constitute hostile acts; if diplomatic action does not suffice, or the means are inadequate, or the injury to Salvadorian nationality is so serious as to require sterner measures, the Executive shall duly inform the Legislature for constitutional action.

Article 10. The naturalization of an alien shall expire if he resides in his country of origin for two years except in the official service of, or with leave of the Salvadorian Government.

*Article 11.*¹ Any alien who fulfils the requirements of article 43 of the Constitution may be naturalized in El Salvador; he shall submit an application in writing embodying the renunciation and the undertaking referred to in the next article of this Act.

Article 12. Naturalization shall in every case import renunciation of all subjection, obedience and loyalty to any other government, particularly that of which the naturalized person has been a subject, and of all protection other than that of the laws and authorities of El Salvador, and of all rights accorded to aliens by treaty or international law, and also an undertaking of adherence, obedience and subjection to the laws and authorities of the Republic.

Article 13. No certificate of naturalization shall be granted to a subject or citizen of a country with which El Salvador is at war.

Article 14. No certificate of naturalization shall be granted to a person who in another country is reputed to be or has been declared by a court of law to be a pirate, slave-dealer, arsonist, counterfeiter or forger of bank notes or other paper used as money, murderer, kidnapper or thief. Any naturalization obtained by an alien fraudulently and unlawfully shall be null and void.

Article 15. Letters and certificates of naturalization shall be issued free of charge, and no fee for costs, registration or stamps of any kind may be levied therefor.

Article 16. Since the act of naturalization is purely personal the applicant may, when the naturalization is not carried out by legal process, be represented only by special and complete power of attorney; but in no case shall a power be valid if the alien is not actually resident in the country.

Article 17. Status as a national or an alien may not be transferred to a third party; hence a national may not enjoy the rights of an alien nor an alien the privileges of a national by virtue of either status.

Article 18. Change of nationality shall not have retroactive effect. Acquisition or recovery of the rights of a Salvadorian national shall take effect only as from the day after naturalization.

Article 19. A colonist entering the country on his own account or on behalf of a private company or enterprise, and an immigrant of any class, may become naturalized in accordance with the constitutional provisions applying to his own case. Colonists already established at the present time

¹ Note: See article 12 above of the new Constitution of 7 September 1950.

shall also be subject to those provisions, but without prejudice to the rights they have acquired under their contracts.

*Article 20*¹. A naturalized alien shall, as soon as he fulfils all the requirements of article 51 of the Constitution, be a Salvadorian citizen and have the rights and duties of a Salvadorian national, but may not hold an office or position for which the Constitution requires nationality by birth.

26. Ethiopia

NATIONALITY ACT OF 22 JULY 1930.²

Nationality of children born to Ethiopian subjects in Ethiopia or abroad.

(1) Any person born to an Ethiopian, man or woman, in Ethiopia or abroad, is an Ethiopian subject.

Nationality in case of union between Ethiopian and non-Ethiopian.

(2) A regular marriage of an Ethiopian subject with a foreign woman confers upon the latter the Ethiopian nationality.

(3) Is considered, in this case, as a regular marriage:

(a) The marriage of an Ethiopian subject performed in Ethiopia with a foreign woman, according to the Ethiopian civil marriage creating between them the community of property;

(b) The marriage of an Ethiopian subject, performed abroad with a non-Ethiopian woman, in conformity with the Law and forms of celebration of marriage of the country where such union takes place.

(4) The regular marriage of a woman of Ethiopian nationality with a foreigner makes her forfeit her Ethiopian nationality if her marriage with the foreigner in question confers upon her the nationality of her husband; otherwise she retains her Ethiopian nationality. In the case where such a woman, forfeiting her Ethiopian nationality, is the owner of real estate, the status of her property will be dealt with in conformity with the Law enacted for this purpose by the Imperial Ethiopian Government.

(5) Is considered as regular marriage:

(a) The marriage performed in Ethiopia between an Ethiopian woman and a foreigner, before the Consular Authorities of the husband;

(b) The marriage of an Ethiopian woman, performed abroad with a foreigner, according to the national Law of the husband and in conformity with the legal forms of celebration of marriage of the country where such union takes place.

Nationality of children born of a union of Ethiopian and non-Ethiopian.

(6) Any child born of a regular mixed marriage, as stated in the preceding articles, follows his father's nationality. The child born to an Ethiopian father and a foreign mother, united by a regular union, shall, however, be required to justify before the Ethiopian authorities, upon request of the latter, the reason for his not having his mother's original nationality.

¹ Note: See article 12 above of the new Constitution of 7 September 1950.

² English translation received from the Ministry of Foreign Affairs of Ethiopia.