THE NATIONALITY of WOMEN

REPORT

PRESENTED BY THE

Inter American Commission of Women

to the

Seventh Conference of American Republics

MONTEVIDEO, DECEMBER 1933

INTER AMERICAN COMMISSION OF WOMEN

Doris Stevens, Chairman

Ernestina A. Lopez de Nelson	Argentina
Crystal Hyland Abelli	Bolivia
Flora Cavalcanti Albuquerque Mello de Oliveira Lima	Brazil
Marta Vergara	Chile
María Elena de Hinestrosa	Colombia
Lydia Fernandez Jiménez	Costa Rica
Elena Mederos de Gonzalez	Cuba
Gloria Moya de Jiménez	Dominican Rep.
Rosa Huerta de Viteri Lafronte	Ecuador
Irene de Peyré	Guatemala
Alice Téligny Mathon	Haiti
Maria Valle de Rodríguez	Honduras
Margarita Robles de Mendoza	Mexico
Juanita Molina de Fromén	Nicaragua
Lcda. Clara González	Panama
Carmen G. de Ynsfran	Paraguay
Belén de Osma	Peru
María Alvarez de Guillén Rivas	El Salvador
Doris Stevens	United States
Clara Elisa de Salterain	Uruguay
Clotilde C. de Arvelo	Venezuela

REPORT ON THE NATIONALITY OF WOMEN

Presented by the Inter American Commission of Women

to the Seventh Conference of American Republics

Montevideo, December 1933

Report prepared November 28, 1933

The following report was prepared by the

Nationality Committee of the Inter American Commission of Women

Members of the Nationality Committee

Miss Alice Paul, Chairman,	U.S.A.	Sra. Maria de Pizano,	Colombia
Sra. Blanche Z. Baralt,	Cuba	Mrs. Elizabeth S. Rogers,	U.S.A.
Miss Laura Berrien,	U.S.A.	Sra. Marta Vergara,	Chile
Mrs. Maud Bradbury,	U.S.A.	Miss Margaret Whittemore,	U.S.A.
Dr. Pauline Luisi,	Uruguay	Miss Emma Wold,	U.S.A.
Sra. Muna Lee de Munoz Marin,	Puerto Rico	Miss Maud Younger,	U.S.A.

C O N T E N T S

PART I

RECOMMENDATION OF A CONVENTION TO ESTABLISH EQUALITY IN NATIONALITY IN THE REPUBLICS OF THE WESTERN HEMISPHERE AND REASONS FOR SUCH A CONVENTION

Contents

I

RECOMMENDATION

The Inter American Commission of Women submits to the Seventh Conference of American States the following draft convention on nationality and recommends its adoption, or the adoption of a convention along similar lines, by the Republics of the Western Hemisphere:

> "The contracting States agree that from the going into effect of this Convention there shall be no distinctions based on sex in their law and practice relating to nationality."

II

REASONS FOR A SPECIAL CONVENTION ON NATIONALITY

We recommend a special convention to establish equality in nationality in the American Republics in addition to a general convention outlawing all distinctions based on sex because there is now before these Republics, awaiting ratification, a convention on nationality - known as the Hague Nationality Convention - which would give a subordinate position to women.(1) We believe that if the American Republics are to enter into any nationality convention it should be one that would raise the position of American women, not one that would lower their position. We therefore recommend an equality convention on nationality as a substitute for the discriminatory Hague Convention.

We make this recommendation, furthermore, because an equality convention on nationality for the Western Hemisphere would help to raise the status of women the world over, particularly through the influence it would have upon the codification of international law. The Hague Nationality Convention was drawn up, under the auspices of the League of Nations, with the intention that it should form the beginning of a code of international law - the first code of international law, on a world scale, that has ever been attempted.(2) It would be a calamity from the point of view of the freedom of women if this first international code were to start with the discriminations now existing in the Hague Nationality Convention. One means of preventing such discriminations in the projected code would be the adoption of an equality convention on nationality by the American Republics, since a code of law for the world would necessarily be influenced by a convention extending over a whole hemisphere. We urge, therefore, a convention to establish equality in nationality, not only because it would lift the status of American women but also because it would lift the status of women throughout the world.

---

(1) The Hague Nationality Convention was drawn up at the First World Conference for the Codification of International Law, held at The Hague, in 1930, under the auspices of the League of Nations. According to the terms of the Convention (arts. 25 and 26), ten ratifications or adhesions are necessary to bring the Convention into operation. Four countries, Norway, Monaco, Brazil and Sweden, have so far ratified or adhered to the Convention. (Nov. 28, 1933).

(For text of the Convention, see League of Nations, Acts of Conference for Codification of International Law, held at The Hague from Mar. 13 to Apr. 12, 1930, Vol. 1, Plenary Meetings, Geneva, 1930, p. 81. For ratifications and adhesions to the Convention, see list on file in League of Nations Secretariat, Geneva).

(2) The League of Nations program for the codification of international law was outlined by M. Heemskerk, President of the Hague Conference for the Codification of International Law, in his Presidential address to the Conference, Mar. 13, 1930, as follows:

> "The various states will merely accept by common consent, certain rules of international law on certain definite subjects. They will embody these rules in treaties by which their future conduct will be governed. These various conventions will gradually, taken as a whole, come to form a code of international law, an incomplete code, I admit, since it will leave certain fields of practice, jurisprudence and doctrine untouched, but still a code which will always be growing."

Extract from Presidential address by M. Heemskerk, (League of Nations, Acts of Conference for Codification of International Law, held at The Hague from Mar. 13 to Apr. 12, 1930, Vol. I, Plenary Meetings, Geneva, 1930, p. 18).

INEQUALITIES IN NATIONALITY

In support of our recommendation of a convention to banish all distinctions based on sex from the nationality laws of the American Republics we wish, first of all, to show the nature of the existing inequalities - to show just what the problem is. To this end we present, in the following tables, a brief outline of the comparative rights of men and women in regard to nationality. We have included in this survey not only the American Republics but the principal remaining countries of the world as well, in order to give as complete an understanding as possible of the status of women in relation to nationality. (1)

Inequalities in General

In looking over the nationality laws of the world there is one point that stands out with glaring emphasis - and that is the position of inferiority given to women. As will be observed from the following table, there are 72 countries where men have greater rights than women in regard to nationality; there is no country where women have greater rights than men; there are 5 countries where there is equality. The 5 countries having equality are in Latin America, with one exception.

Comparison of rights of men and women in regard to nationality

Men have greater rights than women in nationality - in 72 countries: (2)	Women have greater rights than men in nationality - in no country:	Men and women have equality in all matters connected with nationality - in 5 countries: (2)
Afghanistan		Argentine
Albania		Chile
Andorra		Paraguay
Austria		Soviet Union
Belgium		Uruguay
Bolivia		
Brazil		
Bulgaria		
China		
Colombia		
Costa Rica		
Cuba		
Czechoslovakia		
Danzig		
Denmark		
Dominican Rep.		
Ecuador		
Egypt		
Estonia		
Ethiopia		
Finland		
France		
Germany		
Great Britain		
Australia		
Canada		
British India		
Irish Free State		
Newfoundland		
New Zealand		
South Africa		
Greece		
Guatemala		
Haiti		
Hedjaz		
Honduras		
Hungary		
Iceland		
'Iraq		
Italy		
Japan		
Latvia		
Lebanon		
Liberia		
Liechtenstein		
Lithuania		
Luxemburg		
Mexico		
Monaco		
Netherlands		
Nicaragua		
Norway		
Palestine		
Panama		
Persia		
Peru		
Poland		
Portugal		
Roumania		
Salvador		
San Marino		
Siam		
Spain		
Sweden		
Switzerland		
Syria		
Transjordania		
Turkey		
United States		
Vatican City		
Venezuela		
Yugoslavia		

(1) The nationality laws for 77 countries are covered in this survey. All of the independent nations having a definite, written nationality law are included, as are also 5 countries (Afghanistan, Andorra, Ethiopia, Hedjaz, San Marino) where the nationality regulations consist largely of customary law. The Mandated Territories under the Class A Mandate (Lebanon, Palestine, Syria, and Transjordania) have also been included.

(2) For details of the laws of the American Republics see the synopses in Part II of this report.

Inequalities in Parentage Rights

There are 64 countries where the father's right to transmit nationality to a legitimate child is superior to the mother's. There is no country where the mother's right is superior to the father's. There are 13 countries where the mother has an equal right with the father in this respect. Of the 13 countries having equality, all but two are in Latin America.

With regard to the illegitimate child, however, the case is quite different. Here it is the mother and not the father, as the general rule, who gives nationality to the child. The variations from country to country with regard to the illegitimate child are somewhat complicated and for this reason the legitimate child only has been dealt with in the following table. (1)

Comparison of rights of father and mother in regard to giving nationality to their legitimate child

The father and not the mother gives nationality to their legitimate child, in so far as nationality is dependent upon parentage,	The mother and not the father gives nationality to their legitimate child, in so far as nationality is dependent upon parentage,	The father and mother have equal capacity to give nationality to their legitimate child.
- in 64 countries: (2)	- in no country:	- in 13 countries: (2)
Afghanistan		Argentine
Albania		Chile
Andorra		Colombia
Austria		Dominican Republic
Belgium		Ecuador
Bolivia		Nicaragua
Brazil		Panama
Bulgaria		Paraguay
China		Peru
Costa Rica		Soviet Union
Cuba		Turkey
Czechoslovakia		Uruguay
Danzig		Venezuela
Denmark		
Egypt		
Estonia		
Ethiopia		
Finland		
France		
Germany		
Great Britain		
Australia		
Canada		
Brit. India		
Irish Free St.		
Newfoundland		
New Zealand		
South Africa		
Greece		
Guatemala		
Haiti		
Hedjaz		
Honduras		
Hungary		
Iceland		
'Iraq		
Italy		
Japan		
Latvia		
Lebanon		
Liberia		
Liechtenstein		
Lithuania		
Luxemburg		
Mexico		
Monaco		
Netherlands		
Norway		
Palestine		
Persia		
Poland		
Portugal		
Roumania		
Salvador		
San Marino		
Siam		
Spain		
Sweden		
Switzerland		
Syria		
Transjordania		
United States		
Vatican City		
Yugoslavia		

(1) For details concerning the nationality of the illegitimate child, in the American Republics, see the section on "Nationality at Birth" in the synopses in Part II of this report.

(2) For details of the laws of the American Republics see the synopses in Part II of this report.

Inequalities in Case of Marriage

The laws concerning the effect of marriage upon nationality vary from country to country but the general rule is that the nationality of a woman is dependent, in greater or less degree, upon that of her husband. There are 23 countries where a woman always loses her nationality upon marriage to a foreigner; there are 34 countries where she loses her nationality under certain circumstances; there are 6 countries where she loses her nationality under certain circumstances unless she takes action to preserve her nationality. In 4 countries she has the right to relinquish her nationality but is not compelled to do so. There is no country, on the other hand, where a man loses his nationality upon marriage to a foreigner. In 10 countries neither a man nor a woman loses nationality upon marriage to a foreigner. All of these 10 countries are, with two exceptions, in Latin America.

Comparison of rights of men and women in regard to effect of marriage to a foreigner

A woman who marries a foreigner loses her nationality in all cases	A woman who marries a foreigner loses her nationality, under certain circumstances,	A woman who marries a foreigner loses her nationality, under all or certain circumstances, unless she takes action to preserve her own nationality	A woman who marries a foreigner has the right to linquish her own nationality if she so desires, but is not compelled to do so	A man who marries a foreign woman loses his nationality	There is equality between men and women with regard to the effect of marriage to a foreigner
-in 23 countries:(1)	-in 34 countries:(1)	-in 6 countries:(1)	-in 4 countries:(1)	-in no country	-in 10 countries:(1)
Afghanistan	Andorra	Albania	China		Argentine
Bolivia	Austria	Belgium (2)	Liberia		Brazil
Czechoslovakia	Bulgaria	Estonia	Peru		Chile
Germany	Canada	Guatemala	United States		Colombia
Great Britain	Costa Rica	Roumania			Cuba
Australia	Danzig	Yugoslavia			Panama
British Ind.	Denmark				Paraguay
Irish Free St.	Dominican R.				Soviet Union
Newfoundland	Ecuador				Turkey
New Zealand	Egypt				Uruguay
South Africa	Ethiopia				
Haiti	Finland				
Hedjaz	France				
Honduras	Greece				
Hungary	Iceland				
'Iraq	Italy				
Liechtenstein	Japan				
Luxemburg	Latvia				
Netherlands	Lebanon				
Palestine	Lithuania				
San Marino	Mexico				
Transjordania	Monaco				
Vatican City	Nicaragua				
	Norway				
	Persia				
	Poland				
	Portugal				
	Salvador				
	Siam				
	Spain				
	Sweden				
	Switzerland				
	Syria				
	Venezuela				

(1) For details of the laws of the American Republics see the synopses in Part II of this report.

(2) The right to preserve her Belgian nationality is not open, however, to a woman who has become Belgian by marriage. [Belgian Nationality Law, Dec. 14, 1932, art. 18 (2, 3.)]

The general rule that a woman's nationality is dependent upon that of her husband applies not only when a woman marries a foreigner but also when a foreign woman marries a national of a country. There are only 8 countries in which the law is equal between men and women in this respect. All but one of the 8 countries having equality are in Latin America. The details are given in the following tables.

Marriage by a foreign woman to a national of a country

A foreign woman who marries a national of a country is compelled to take her husband's nationality in all cases	A foreign woman who marries a national of a country is compelled to take her husband's nationality under certain circumstances	A foreign woman who marries a national of a country is compelled to take her husband's nationality, under all or certain circumstances, unless she takes action to preserve her own nationality	A foreign woman who marries a national of a country is never compelled to take her husband's nationality but is permitted to do so under easier conditions than apply to a foreign man who marries a national of the country
-in 58 countries: (1)	-in 8 countries: (1)	-in 3 countries: (1)	-in 1 country: (1)
Afghanistan	Belgium	Brazil	United States
Albania	China	Ecuador	
Andorra	Ethiopia	Guatemala	
Austria	France		
Bolivia	Liberia		
Bulgaria	Spain		
Costa Rica	Vatican City		
Cuba	Yugoslavia		
Czechoslovakia			
Danzig			
Denmark			
Dominican Rep.			
Egypt			
Estonia			
Finland			
Germany			
Great Britain			
Australia			
Canada			
British India			
Irish Fr. St.			
Newfoundland			
New Zealand			
South Africa			
Greece			
Haiti			
Hedjaz			
Honduras			
Hungary			
Iceland			
Iraq			
Italy			
Japan			
Latvia			
Lebanon			
Liechtenstein			
Lithuania			
Luxemburg			
Mexico			
Monaco			
Netherlands			
Nicaragua			
Norway			
Palestine			
Persia			
Peru			
Poland			
Portugal			
Roumania			
Salvador			
San Marino			
Siam			
Sweden			
Switzerland			
Syria			
Transjordania			
Turkey			
Venezuela			

Marriage by a foreign man to a national of a country

A foreign man who marries a national of a country is compelled to take his wife's nationality under certain circumstances	A foreign man who marries a national of a country is compelled to take his wife's nationality, under certain circumstances, unless he takes action to preserve his own nationality	Equality between men and women in case of marriage to a national of a country: Men and women have equality in regard to marriage by a foreigner to a national of a country
-in 2 countries:	-in 1 country: (1)	-in 8 countries: (1)
Andorra	Brazil	Argentine
Japan		Brazil
		Chile
		Colombia
		Panama
		Paraguay
		Soviet Union
		Uruguay

(1) For details of the laws of the American Republics see the synopses in Part II of this report.

Inequalities in case of Change of Nationality by Husband or Wife after Marriage

In nearly all countries the husband's change of nationality carries with it a corresponding change in the nationality of his wife, under all or certain circumstances. Furthermore, the general rule is that the husband may change his nationality upon his own volition if he satisfies the requirements of the law but that the wife does not have a corresponding independence of choice. Sometimes his authorization is required before she may be naturalized; sometimes his authorization is required before she may be released from her nationality; sometimes she may be naturalized only through his naturalization and released from her nationality only through his release; sometimes there are differences in the naturalization requirements for the husband and wife. In 69 countries there is one law for a married man and another law for a married woman upon the general subject of a change of nationality after marriage, and in all but one of these 69 countries the difference in the law is to the disadvantage of the woman. In 8 countries there is equality and all but one of these 8 countries are in Latin America.

Comparison of the rights of men and women in regard to changing nationality after marriage (1)

Men have greater rights than women in regard to changing nationality after marriage - in 68 countries: (2)		Women have greater rights than men in regard to changing nationality after marriage - in 1 country: (2)	Men and women have equal rights in regard to changing nationality after marriage - in 8 countries: (2)
Afghanistan	Hungary	United States (3)	Argentine
Albania	Iceland		Brazil
Andorra	'Iraq		Chile
Austria	Italy		Guatemala
Belgium	Japan		Paraguay
Bolivia	Latvia		Peru
Bulgaria	Lebanon		Soviet Union
China	Liberia		Uruguay
Colombia	Liechtenstein		
Costa Rica	Lithuania		
Cuba	Luxemburg		
Czechoslovakia	Mexico		
Danzig	Monaco		
Denmark	Netherlands		
Dominican Rep.	Nicaragua		
Ecuador	Norway		
Egypt	Palestine		
Estonia	Panama		
Ethiopia	Persia		
Finland	Poland		
France	Portugal		
Germany	Roumania		
Great Britain	Salvador		
Australia	San Marino		
Canada	Siam		
British India	Spain		
Irish Free State	Sweden		
Newfoundland	Switzerland		
New Zealand	Syria		
South Africa	Transjordania		
Greece	Turkey		
Haiti	Vatican City		
Hedjaz	Venezuela		
Honduras	Yugoslavia		

(1) This table includes, for each country, both its own nationals who voluntarily relinquish or who lose its nationality, and foreigners who acquire its nationality.

(2) For details of the laws of the American Republics see the synopses in Part II of this report.

(3) The inequality in the United States law applies only to the naturalization of a foreign woman; it does not apply to a change in nationality by a woman who is a United States citizen.

Inequalities in case of a Change of Nationality by Parents

The following table shows the comparative rights of the father and mother in regard to changing the nationality of a minor legitimate child. Throughout most of the world - in 70 countries - the law gives greater power to the father than to the mother in this matter and in no country does it give the mother greater rights than the father. In 7 countries the law is equal between the father and mother and, once again, the most advanced countries are in Latin America.

Effect of change of nationality by parents upon nationality of child (1)

A change of nationality by the father carries with it, under all or certain circumstances, a change in the nationality of a minor legitimate child, or enables the child to choose the father's nationality, while the mother does not have an equal power to influence the nationality of the child	A change of nationality by the mother carries with it, under all or certain circumstances, a change in the nationality of a minor legitimate child, or enables the child to choose the mother's nationality, while the father does not have an equal power to influence the nationality of the child	There is no distinction between the father and mother in regard to the capacity to affect the nationality of their minor legitimate child
- in 70 countries:(2)	- in no country:	- in 7 countries: (2)
Afghanistan		Argentine
Albania		Brazil
Andorra		Chile
Austria		Guatemala
Belgium		Paraguay
Bolivia		Soviet Union
Bulgaria		Uruguay
China		
Colombia		
Costa Rica		
Cuba		
Czechoslovakia		
Danzig		
Denmark		
Dominican Rep.		
Ecuador		
Egypt		
Estonia		
Ethiopia		
Finland		
France		
Germany		
Great Britain		
Australia		
Canada		
Brit. India		
Irish Fr. St.		
Newfoundland		
New Zealand		
South Africa		
Greece		
Haiti		
Hedjaz		
Honduras		
Hungary		
Iceland		
'Iraq		
Italy		
Japan		
Latvia		
Lebanon		
Liberia		
Liechtenstein		
Lithuania		
Luxemburg		
Mexico		
Monaco		
Netherlands		
Nicaragua		
Norway		
Palestine		
Panama		
Persia		
Peru		
Poland		
Portugal		
Roumania		
Salvador		
San Marino		
Siam		
Spain		
Sweden		
Switzerland		
Syria		
Transjordania		
Turkey		
United States		
Vatican City		
Venezuela		
Yugoslavia		

(1) This table includes, for each country, both its own nationals who voluntarily relinquish or who lose its nationality, and foreigners who acquire its nationality.

For details concerning the extent to which the mother is able, in the American Republics, to change the nationality of her child after the death of the father, or after divorce or legal separation or the annulment of the marriage, and in case of illegitimacy, see the section on "Effect of Change of Nationality by Parents upon Nationality of Child" in the synopses in Part II of this report.

(2) For details of the laws of the American Republics see the synopses in Part II of this report.

IV

RESULTS OF INEQUALITIES IN NATIONALITY

The inequalities in nationality outlined in the preceding tables are not only contrary to the principle of justice which should be at the basis of all legislation, but they have brought much suffering to individual women. The Inter American Commission of Women has received more appeals for help because of nationality difficulties than from any other cause. Excerpts will be quoted from a few letters that have been received showing how these inequalities affect the daily lives of women.

One woman writes: (1)

> "I married a foreigner - a Bulgarian - and by my marriage have lost the possibility of going on with my practice as a dentist. I am now considered a foreigner in my native city and a license to practice as a dentist is not given to foreigners. I went with my husband to Bulgaria but found that because of ignorance of the language I could not practice successfully there. As the possibilities of earning a living were miserable for my husband and myself in Bulgaria, I returned again to my own country to continue working as a dentist there, but I was not allowed to practice my profession in my own country owing to my foreign nationality."

Another woman writes: (2)

> "I have lost my nationality and am stateless because of my marriage to a foreigner. My husband has no nationality as he is a Russian refugee. My husband is unable to earn very much under the present circumstances, and I, being stateless, have been unable to get a permit to earn my living in my native city. My husband has gone to another country in the hope of earning a living there but I have had great difficulty in getting a passport to join him because I am stateless. I am forced at present, as a result of this situation, to remain in my native city and be dependent upon relatives."

Yet another woman writes: (3)

> "After graduating from a technical school I was sent on a scholarship by the Ministry for Construction of my country to finish my studies as an architect. After my return from abroad, where I finished my studies, I married a foreigner. I went with my husband to his country, but returned shortly afterwards to my own country and resumed my work as an architect for the Ministry. This time, however, I was classed as a foreigner and my rank and advancement were less than if I had been a citizen. It was not until my husband became naturalized in my country and I was thereby made a citizen again that I could regain my old rank and right to advancement."

The Chairman of the Committee on International Relations of the American Women's Clubs in Europe, writes: (4)

> "We are inquiring as to the possibility of so harmonizing with the purposes and methods of procedure of your organization that we may work along with you. As our members, living abroad, are naturally affected by the 'stateless' or 'dual nationality' conditions, our interest is particularly concentrated on this situation."

A frequent difficulty that arises from an enforced change of nationality because of marriage is with regard to property rights. For example, one woman writes: (5)

> "I married a man of another nationality, a man from Holland, and, after some years, learned that since I had acquired his nationality I was subject to Dutch law and that therefore my marriage was based on community property, since at marriage no contract to the contrary was made. I have

---

(1) Letter to Inter American Commission of Women, Apr. 26, 1932.
(2) " " " " " " " Apr. 25, 1932.
(3) " " " " " " " May 20, 1932.
(4) " " " " " " " Oct. 19, 1933.
(5) " " " " " " " Aug. 14, 1932.

two children whom I have supported alone for four years because my husband has deserted us and given nothing toward the support of the children. I am living in my native country and have just inherited some property from a relative. My husband now returns and threatens to put his considerable debts against my property. I tremble lest my children be deprived of their future security and be put in distress by this action of my husband. If I could regain my own nationality, my property and therefore my children's future would be protected, as my property is not subject to my husband's debts by the law of my native country. Can you tell me how I can get back my nationality?"

Equally serious are difficulties which arise when the father alone, and not the mother, is permitted to transmit nationality to their child. As an example we quote a memorandum from the Director of the National League for American Citizenship. He writes:(1)

"This case concerns an American woman now living in the United States. This woman married a native of Germany, while on an extended visit there. While there she gave birth to a child and later came with the child and her husband to the United States to live. The mother assumed that her child was American since she herself was an American born woman. But the fact of the matter was that since the father was a German and had not adopted United States citizenship, the child was considered by our Government as an alien (born abroad of an alien father), the United States nativity of the child's mother to the contrary notwithstanding. In course of time the boy, her son, was arrested for several offenses and was ordered deported as an alien. The mother was distracted. She pleaded that the boy was just as much her son as her husband's, and that it was just as logical to regard the boy's allegiance as American because of her birthright, as to consider him German because of her husband's. But the law provides that citizenship of minors descends from the male parent only and therefore ruled that the boy was, for that reason, a German like his father, and not an American, like his mother. And so the mother was left facing the cruel fact that her son was being taken away from her because the male carries with him certain rights which are unequal, unfair and unnecessary. The boy has been sent back to Germany, where he is a stranger to its people, its language, and its customs, while his native-born mother grieves for him here. In contrast to this situation, consider the status of the child of an American father - instead of an American mother. Under precisely the same circumstances as those just detailed he would not be deported, because, as the offspring of an American father, he himself would be considered an American citizen."

V.

PROPOSAL OF A CONVENTION TO ESTABLISH EQUALITY IN NATIONALITY

The widespread extent and the serious nature of the discriminations against women in regard to nationality, which have been outlined in the preceding pages, have led to a movement to end them, without further delay, by means of an international agreement. The proposal of such an agreement has been placed before an international conference of governments on three different occasions. Each of the three times the proposal has come from Latin American. These three proposals are given below in detail.

---

(1) Memorandum given to Inter American Commission of Women, Apr. 1933.

Proposal of a Convention by the Government of Chile, at Hague Codification Conference, 1930

The first official step in this direction was taken by the Government of Chile, at the World Conference for the Codification of International Law held at The Hague in 1930. The Chilean Government proposed on this occasion a world convention to establish equality in nationality reading:

> "The contracting States agree that, from the going into effect of this Convention, there shall be no distinction based on sex in their law and practice relating to nationality."

This draft was presented to the Codification Conference by Dr. Miguel Cruchaga, delegate from Chile, and has been generally known since that time as the "Cruchaga Convention." The full communication from Dr. Cruchaga to the Conference was as follows: (1)

> "When the Sixth International Conference of American States met at Havana, Cuba, in January 1928, the women of the Western Hemisphere expressed before the plenary assembly, at a specially arranged unofficial meeting, the views they entertained, as set forth by numerous collective bodies, with regard to the principle of the absolute equality of both sexes to be incorporated in the law of all countries.
>
> "In view of the limitations imposed by the Conference's agenda, which had been agreed upon beforehand by the Governments' members of the Pan American Union, the insufficiency of the data immediately available on the matter, and the absolute lack of time for a thorough study thereof, the Conference, mindful of the far-reaching importance of the subject, decided that the Pan American Union, as the permanent executive organ of the Pan American Conferences, should set up an advisory body charged with the compilation of all materials and the preparation of such drafts as should be submitted to the forthcoming Seventh International Conference of American States.
>
> "In pursuance of this resolution, the Inter American Commission of Women was organized with members appointed from all the countries of the American continent. Among the principal resolutions so far adopted by the aforesaid Commission, there is one concerning nationality, and I have been honoured with the request to sponsor it before this Conference for inclusion in the Convention on Nationality whose bases are now the subject of this Committee's studies. The resolution in question, which I move be taken as an additional Basis of Discussion, reads:
>
> > 'The contracting States agree that, from the going into effect of this Convention, there shall be no distinction based on sex in their law and practice relating to nationality.'
>
> "In support of the foregoing proposal, I offer the arguments advanced in the pamphlet entitled 'Nationality,' by the distinguished American Jurist, Dr. James Brown Scott, the English text of which I have the honour of presenting to my learned colleagues with the compliments of the Chairman of the Inter American Commission of Women. A French text of the same paper will be available for distribution to the members of this Conference within the next few days."
>
> (Signed) "Miguel Cruchaga."

The draft contained in Dr. Cruchaga's communication was accepted by the Codification Conference as one of its bases for discussion but was not otherwise acted upon.

The Cruchaga draft, it should be noted, is the one that is laid before this Seventh Conference of American States in the recommendation from the Inter American Commission of Women, at the beginning of the present report.

---

(1) League of Nations, Acts of Conference for Codification of International Law, held at The Hague, Mar. 13th to Apr. 12th, 1930, vol. II, Minutes of the First Committee, Nationality, Geneva, 1930, pp. 280, 281.

Proposal of a Convention by the Governments of Chile and Colombia, at League of Nations Assembly, 1932

The Cruchaga Convention was also introduced in the League of Nations Assembly, Geneva, in 1932 by the Governments of Chile and Colombia. Their joint resolution read: (1)

"The Chilean and Colombian delegations present the following draft resolution:

"...The Assembly further decides to ask the Council to consider means for preparing a new Convention based on the principle of equality between the sexes in regard to nationality and conceived in the same spirit as the resolution proposed at The Hague Codification Conference by the delegation from Chile, reading as follows:

'The contracting States agree that from the going into effect of this Convention there shall be no distinction based on sex in their law and practice relating to nationality.'"

The Governments of China (2) and Turkey (3) seconded this resolution. It was debated at length in the First Commission of the Assembly, but was not acted upon.

Proposal of a Convention by the Government of Chile, at League of Nations Assembly, 1933

Again this present year, 1933, the Chilean Government proposed an equality convention on nationality in the League Assembly. The Chilean resolution read: (4)

"The Assembly:...
"Having regard to the fact that a certain number of States give in their new law a very wide application of the principle of the equality of the sexes:

"Requests the Secretary-General to ask the States which took part in the Hague Codification Conference to be so good as to declare their view as to the desirability of drawing up, during the next session of the Assembly, a protocol giving effect to equality between the sexes in regard to nationality, which would be open for signature by States desiring to become parties to it."

M. Gajardo, Chilean representative in the First Commission of the Assembly, defended this proposal before the Commission and was supported by the delegates from France and Switzerland. The Assembly took no action upon the proposed convention although it adopted a resolution showing sympathy with the principle of equality in nationality. (5)

VI

SUPPORT FOR A CONVENTION TO ESTABLISH EQUALITY IN NATIONALITY

Support by Women's Organizations

The Cruchaga Convention has received world wide support from women's organizations through its endorsement by the Women's Consultative Committee on Nationality, created by the Council of the League of Nations. This Committee is composed of leading international feminist organizations and represents women's organizations in forty-two countries, with a combined membership of approximately forty-five

---

(1) League of Nations Official Journal, Special Supplement No. 105, Records of 13th Ordinary Session of Assembly, Minutes of First Committee, Geneva, 1932, p. 68.

(2) League of Nations Official Journal, Special Supplement No. 105, Records of 13th Ordinary Session of the Assembly, Minutes of the First Committee, Geneva, 1932, p. 14.

(3) Ib., p. 14.

(4) League of Nations Journal, 14th Assembly, No. 11, Oct. 6, 1933, Geneva, p. 125.

(5) League of Nations Journal, 14th Session of Assembly, No. 11, Geneva, Oct. 6, 1933, Geneva, p. 126, 127.

million women.[1] The Women's Consultative Committee first endorsed the Cruchaga Convention in its report to the League of Nations Assembly in 1931, as follows:[2]

"This Committee wishes to express its support of the proposal put before The Hague Codification Conference by the delegation from Chile for a world agreement on nationality, reading:

'The contracting States agree that, from the going into effect of this Convention there shall be no distinction based on sex in their law and practice relating to nationality.'"

The report containing this endorsement was signed by the International Council of Women, the Women's International League for Peace and Freedom, the Inter American Commission of Women, the Equal Rights International, the World Union of Women for Peace and Concord, the All Asian Conference of Women, the International Alliance of Women for Suffrage and Equal Citizenship, and the International Federation of University Women.[3] This report, with its approval of the Cruchaga Convention, was printed as a League of Nations document and circulated by the League to all nations that were members of the League or had participated in the Hague Codification Conference.

The Women's Consultative Committee on Nationality again gave its support to the Cruchaga resolution in a report prepared for the 1933 Assembly of the League. This report stated:[4]

"We urge the Assembly to take the only effective step for the solution of this problem, namely, to frame and present to the Governments a new nationality convention on the lines of that proposed by the representative of Chile at The Hague Conference of 1930, reading:

'The contracting States agree that from the going into effect of this Convention there shall be no distinction based on sex in their law and practice relating to nationality.'"

This recommendation was signed by all of the organizations represented at the meeting. They were: the International Council of Women, the Women's International League for Peace and Freedom, the Inter American Commission of Women, the Equal Rights International, and the All Asian Conference of Women.

Support by Jurists

The Cruchaga Convention has not only received the support of practically all feminist bodies throughout the world, through these endorsements by the Women's Consultative Committee on Nationality, but it has also been approved by the

---

(1) Letter to Secretary General of League of Nations from Women's Consultative Committee on Nationality, created by the Council of the League of Nations, signed by the Acting President of the Committee, Frau Lillian von Matsch, and the Honorary Assistant Secretary of the Committee, Miss L. C. von Eeghen, and dated, Sept. 25, 1933.

(2) League of Nations Official Journal, Special Supplement No. 94, Records of the 12th Ordinary Session of the Assembly, Minutes of the First Committee, Geneva, 1931, p. 126.

(3) In signing this report, the International Alliance of Women for Suffrage and Equal Citizenship and the International Federation of University Women attached the following notes with their signatures:

"The International Alliance of Women for Suffrage and Equal Citizenship and the International Federation of University Women sign the report on the understanding that the equality asked for includes the right of a married woman to her independent nationality and that the nationality of a woman shall not be changed by reason only of marriage or a change during marriage in the nationality of her husband.

"International Alliance of Women for Suffrage and Equal Citizenship: (Signed) Margery I. Corbett Ashby
Dr. B. Bakker Nort

"The International Federation of University Women gives its support to the above report so far as it deals with a woman's own nationality and takes no position in so far as the report deals with the derivation of the nationality of a child from its mother, since the Federation has taken no decision on this aspect of nationality.

"International Federation of University Women: (Signed) Chrystal MacMillan
N. Schreiber-Favre"

(4) Minutes of meeting of Women's Consultative Committee on Nationality created by the Council of the League of Nations, held in League of Nations Building, Geneva, June 10, 1933.

principal juridical association of the Western Hemisphere, the American Institute of International Law, through its Governing Board. This Board unanimously adopted the following resolution at its meeting in Washington, October 29-31, 1931:(1)

"Whereas, the subject of nationality is on the proposed agenda of the Seventh International Conference of American States, and

"Whereas, the Governing Board has already at its meeting in Havana on October 31, 1929, declared unanimously its approval of the following draft article on nationality:

'The Contracting States agree that from the going into effect of this treaty, there shall be no distinction based on sex in their law and practice relating to nationality.'

"Now, Therefore, Be it Resolved, this 31st day of October, 1931, That the Governing Board of the American Institute of International Law reaffirm its approval of the article in question, and recommend that it form an article in any convention submitted to the Seventh Conference for adoption, or, if no such convention is submitted, that it form a separate convention to be adopted by that conference."

This recommendation by the American Institute has been printed as part of the documentary material prepared by the Pan American Union for the use of delegates to the Seventh Conference of American States, at Montevideo. (2)

VII

SUPPORT FOR PRINCIPLE OF EQUALITY IN NATIONALITY, APART FROM A CONVENTION

Support by Women's Organizations

Besides the organizations that have endorsed the Cruchaga Convention, many groups and individuals have given their support to the principle of equality in nationality without endorsing any specific method of obtaining it. For example, the International Council of Women and the International Alliance of Women for Suffrage and Equal Citizenship, supported by practically all women's societies throughout the world, presented the following resolution to the Hague Codification Conference in 1930: (3)

"We recommend therefore:
"That a woman, whether married or unmarried, shall have the same right as a man to retain or to change her nationality; and in particular

"(a) That the nationality of a woman shall not be changed by reason only of marriage, or a change during marriage in the nationality of her husband;
"(b) That the right of a woman to retain her nationality or to change it by naturalization, denationalization or denaturalization shall not be denied or abridged because she is a married woman;
"(c) That the nationality of a woman shall not be changed without her consent except under conditions which would change the nationality of a man without his consent. ...

"We recommend that, with respect to the derivation of nationality from a parent, the nationality of one parent shall have no preference over that of the other and that any provision in the Convention to be adopted by the First Codification Conference should be consistent with this principle. ...

"Equality between the sexes is in line with modern thought."

---

(1) Minutes of Meeting of Governing Board of American Institute of International Law, Washington, D. C., Oct. 29-31, 1931.

(2) Documents for the Use of Delegates to Seventh International Conference of American States, No. 4, Pan American Union, Washington, D. C., 1933.

(3) League of Nations, Acts of Conference for Codification of International Law, held at The Hague, Mar. 13th to Apr. 12th, 1930, Vol. II, Minutes of the First Committee, Nationality, Geneva, pp. 315, 316.

Support by Jurists

Another significant endorsement of the principle of equality in nationality was that by the Institut de Droit International at a meeting at Oslo, Norway, August 16-23, 1932, at which meeting the leading jurists of the world were assembled. The resolution adopted at this meeting read: (1)

"The Institute,
"Wishing to give effect,
"On the one hand, to the voeu of the session at Stockholm requesting that, in their legislation on nationality, the States respect and maintain the unity of the family, as far as circumstances permit;

"And on the other, to the declaration of the international rights of man adopted at New York, according to the first and sixth articles of which there is not, as regards these rights, any distinction between the sexes:

"Recommends to the States that they be guided, in their legislation on nationality, by the following voeux:

"I. That the nationality of one of the spouses, and more particularly a change of nationality on the part of such spouse during marriage, should not be extended to the other spouse against the latter's will.

"II. That, in the cases where the spouses possess different nationalities, either spouse should be able to acquire, with the greatest facility and promptness possible, the nationality of the other."

Support by other Organizations

Another instance of support for the principle of equality in nationality is the International Petition of Catholic Men and Women, which was presented to the League of Nations Assembly in September 1932, in advocacy of the principle: "that a woman, whether married or unmarried, should have the same right as a man to retain or change her nationality." The following communication, sent by the Secretary General of the League to the League Assembly, gives the details concerning this petition: (2)

"International Petition of Catholic Women
and
International Petition of Catholic Men
...
"In execution of a decision taken by the Council on September 23rd, 1932, the Secretary-General has the honor to present to the Assembly the following information with regard to the above-mentioned petitions, which have been deposited in the archives of the Secretariat and the receipt of which has been notified to the Assembly in the Assembly Journal.

"The petitions have been organized by the International Committee of Catholic Women for the Nationality of Married Women, which, as the Secretary-General has been informed, is a special ad hoc body of individual women in various countries interested in the cause advocated by the petitions.

"The petition of Catholic women, and the petition of Catholic men by which it is supported, ask:

'...that a woman, whether married or unmarried, should have the same right as a man to retain or change her nationality.'"

---

(1) Copy of Resolution furnished to Inter American Commission of Women by Chairman of Nationality Commission, Institut de Droit International, Aug., 1932.

(2) League of Nations, Nationality of Women, International Petition of Catholic Women and International Petition of Catholic Men, Official No.: A. 33, 1932, V., Geneva, Sept. 26, 1932, p. 1.

The International Union of Catholic Women's Associations also sent a communication to the 1932 Assembly of the League withdrawing their memorandum of the previous year, which had been interpreted as opposed to equality in nationality. Their communication to the 1932 Assembly read: (1)

"On August 10th, 1931, the International Union of Catholic Women's Associations had the honour to present to His Excellency the Secretary-General of the League of Nations a memorandum on the nationality of married women.

"This memorandum has clearly given rise to misinterpretation, since, in certain quarters, it has been understood as affirming that unity of the family necessarily involves identity of nationality.

"In these circumstances, and in view of the fact that the question is on the agenda of the present session of the Assembly of the League of Nations, the Bureau of the Union feels it desirable to define its views in the present memorandum, which cancels and replaces that of 1931.

"The Bureau of the Union,...

"Recognizing:...

"That contemporary legislation appears to tend (a) to give a woman who marries a foreigner the right to decide her own nationality, (b) to give general application to this solution by means of international conventions;...

"Without entering into legal details, makes the following recommendations:...

"III-That a change in the nationality either of the husband or of the wife should not be allowed without the other party to the marriage having a right to oppose such change, exercisable under the control of the courts.

"IV- That, in accordance with the recommendation made on August 22nd last at Oslo by the Institute of International Law, in cases where husband and wife have different nationalities, either should be able to acquire as easily and as rapidly as possible the nationality of the other party to the marriage.

"V - That, pending the entry into force of such international measures, there should be established an international system for the settlement of conflicts capable of threatening the interests of the wife and children.

"In the name of the Bureau of the International Union of Catholic Women's Associations:

(Signed) "F. Steenberghe-Engeringh,
President;
"Vicomtesse de Velard,
Vice-President;
"M. Romme,
Secretary."

Many other expressions of support for the principle of equality in nationality, from civic, educational, religious and other groups, are on file but are not reproduced in this report because of lack of space.

---

(1) League of Nations Official Journal, Special Supplement No. 105, Records of 13th Ordinary Session of Assembly, Minutes of First Committee, Geneva, 1932, p. 67.

VIII.

PRACTICABILITY OF A CONVENTION TO ESTABLISH EQUALITY IN NATIONALITY

Practicability of an Equality Convention in View of the present Nationality Laws of the American Republics

In recommending an equality convention on nationality for this Hemisphere we believe that we are making a recommendation which is practicable because of the extent to which equality in nationality already exists in the New World. This extent may be seen from the following table. It will be noted that 4 of the Republics of the Western Hemisphere - Argentine, Chile, Paraguay and Uruguay - have equality in all matters relating to nationality; that 11 countries give the father and mother an equal right to transmit nationality to their legitimate child; that 7 countries have equality between men and women in regard to the effect of marriage upon nationality; that 7 countries have equality between husband and wife in all that relates to a change of nationality after marriage; that 6 countries have equality between a father and mother in regard to the effect of their own change of nationality upon the nationality of their legitimate child.

Extent of equality in nationality in the American Republics

(Parentage)	(Marriage)	(Change of Nationality by Husband or Wife)	(Change of Nationality by Parents)	(In all respects)
There is equality between the father and mother in the capacity to transmit nationality to their legitimate child	There is equality between men and women in regard to the effect of marriage upon nationality	There is equality between husband and wife in regard to changing nationality after marriage	There is equality between the father and mother in the capacity to change the nationality of a minor legitimate child	There is equality between men and women in all matters connected with nationality
- in 11 countries: (1)	- in 7 countries: (1)	- in 7 countries: (1)	- in 6 countries: (1)	- in 4 countries: (1)
Argentine	Argentine	Argentine	Argentine	Argentine
Chile	Brazil	Brazil	Brazil	Chile
Colombia	Chile	Chile	Chile	Paraguay
Dominican Rep.	Colombia	Guatemala	Guatemala	Uruguay
Ecuador	Panama	Paraguay	Paraguay	
Nicaragua	Paraguay	Peru	Uruguay	
Panama	Uruguay	Uruguay		
Paraguay				
Peru				
Uruguay				
Venezuela				

(1) For details of the laws see the synopses in Part II of this report.

Equality in nationality is not only widely extended at present in the Western Hemisphere, as shown in the preceding table, but this type of legislation has steadily increased in recent years. Cuba, for example, amended her Civil Code in 1929 so that a Cuban woman would no longer lose Cuban nationality upon marriage to a foreigner.(1) Last year Brazil equalized the law between a man and woman in regard to acquiring Brazilian nationality upon marriage.(2) This present year, 1933, Peru changed her law so that a Peruvian woman now retains her nationality upon marriage unless she expressly renounces it.(3) During this present year, also, the Senate of the United States passed a measure designed to remove the few remaining inequalities from the nationality laws of the United States,(4) and a bill with the same purpose was favorably reported from Committee in the present House of Representatives and is now awaiting action as soon as Congress convenes.(5) Moreover, the United States House of Representatives adopted a resolution in support of complete equality in nationality, in 1930, reading:(6)

> "It is hereby declared to be the policy of the United States of America that there should be absolute equality for both sexes in nationality, and that in the treaties, law and practice of the United States relating to nationality there should be no distinction based on sex."

With this widespread equality legislation already in existence in North, Central and South America, and with the present trend toward greater equality, it would seem entirely practicable for the American Republics to unite to remove all of the remaining inequalities based on sex from their nationality laws.

Practicability of an Equality Convention in View of Action by the American Republics at The Hague and Geneva

Another reason why such a convention is practicable is that a considerable number of the American Republics have already taken a stand, at The Hague or Geneva, in support of an international agreement to establish equality in nationality, and still others have committed themselves to the principle of equality apart from a convention on the subject. The Government of Chile, as has already been stated, took a positive stand for a convention to establish equality in nationality at the Hague Codification Conference in 1930, when it submitted the Cruchaga proposal.(7) The United States delegation supported the principle of equality at this Conference when it advocated the use of the word "person" instead of the word "woman" in the Nationality Convention then under consideration.(8) The United States, furthermore, alone among all the assembled nations, voted against the discriminatory Nationality Convention adopted by the Conference, giving as one of its reasons, in a statement issued by the Acting Secretary of State, that "We do not, in our laws make differences - or make few or relatively unimportant differences - as to rights of men and women in matters of nationality."(9)

Shortly after the Hague Conference, the Government of Cuba secured the adoption of a resolution by the League of Nations Assembly, in September, 1931, reopening the question of the Hague Nationality Convention because of its discriminations against women. The Cuban resolution, which was introduced and vigorously defended by His Excellency, M. Ferrara, was supported by all of the Latin American countries represented in the Assembly. This resolution read:(10)

---

(1) Cuba, Law July 1, 1929, amending art. 22 of the Civil Code.

(2) Brazil, Decree No. 21,076, Feb. 24, 1932, art. 3.

(3) Peru, Constit., Apr. 9, 1933, art. 6.

(4) Congressional Record, Mar. 3, 1933, p. 5524.

(5) Report No. 131 from Committee on Immigration and Naturalization of the House of Representatives, May 15, 1933.

(6) House Joint Resolution 331, adopted May 21, 1930, by United States House of Representatives, Congressional Record, May 21, 1930, p. 9680.

(7) League of Nations, Acts of Conference for Codification of International Law, held at The Hague from Mar. 13 to Apr. 12, 1930, Vol. II, Minutes of the First Committee, Nationality, Geneva, 1930, p. 280, 281.

(8) Ib., p. 295.

(9) Statement issued by Acting Secretary of State, Washington, Apr. 15, 1930.

(10) League of Nations Official Journal, Special Supplement No. 84, Records of 11th Ordinary Session of the Assembly, Geneva, 1930, p. 566.

"Whereas the Conference for the Codification of International Law, held at The Hague in 1930, adopted a Convention on Nationality, and some States represented at the Conference did not accept it in its entirety, or submitted reservations in respect of certain articles thereof, and, further, no State has hitherto ratified this Convention;

"Whereas the same Conference, after approving the Convention on Nationality, adopted a resolution recommending the States to study the possibility of introducing into their respective legislations the principle of the equality of the sexes in matters of nationality; ...

"The Cuban delegation proposes to the Commission to submit to the Assembly among other points dealt with in its decisions on Codification, the following resolution:

'The Assembly begs the Council to examine whether it would be desirable to take up again, with a view to the next Conference for the Codification of International Law, the question of the nationality of women.'"

The effect of the adoption of this resolution was to reopen the subject of the Hague Nationality Convention and thereby to delay its ratification.

The Governments of Guatemala, Peru and Venezuela carried forward in the Council of the League of Nations, under the leadership of His Excellency, Dr. Jose Matos, the work that had been begun by Cuba in the Assembly. These three Governments introduced a joint resolution in the Council, in January 1931, to authorize the creation of a Consultative Committee of Women to report to the League on the nationality of women. This resolution, which was unanimously adopted, resulted in the setting up of the Women's Consultative Committee on Nationality - the only committee of women that has ever been created by the League to advise upon mat matters relating particularly to the status of women.(1)

Next, the Government of Chile sent a woman delegate, Madame Marta Vergara, to the 1931 Assembly for the special purpose of defending the principle of equality in nationality before the Assembly. Madame Vergara introduced a resolution in the interest of equality in nationality(2) and spoke in support of this position before the plenary session of the Assembly.

The following year, 1932, the Governments of Chile and Colombia each sent a woman delegate to the League Assembly, - Madame Vergara as the representative of Chile, and Madame Maria Pisano as the representative of Colombia, - to work for equal nationality rights for women. These two Governments also, as has already been related, proposed the Cruchaga Nationality Convention to the 1932 Assembly.(3) On this occasion, the Government of Panama gave particularly effective support to the Chilean-Colombian proposal by joining with Chile and Colombia in a minority report. When the subject came before the plenary session, the Government of Chile again took the lead in support of equality in nationality and asked to be recorded as opposed to the Hague Nationality Convention because of its discriminations against women. Four other American countries: Colombia, Cuba, Guatemala and Mexico, joined with Chile in this protest as did four non-American countries: China, Czechoslovakia, Poland and Turkey.(4)

Finally, in the 1933 Assembly, the question of the nationality of women was again placed upon the agenda by the Government of Chile and once again, as has been stated, Chile presented the proposal for an equality convention on nationality to the Assembly.(5)

Thus, beginning with the Hague Conference in 1930 and continuing down to the present time there has been a continuous effort to establish equality in nationality and this effort has come almost entirely from the Western Hemisphere. The countries which have aided most in this endeavor, have been Chile, Colombia, Cuba, Guatemala, Mexico, Panama, Peru and Venezuela. In addition, the United States has taken a strong stand against inequality between men and women in any nationality convention that might be adopted.

---

(1) League of Nations, 62nd Session of Council, Minutes of 9th meeting, Jan. 1931, Geneva, Document c. 137, 1931, XI, p. 8.

(2) League of Nations, Official Journal, Special Supplement No. 94, Records of 12th Ordinary Session of Assembly, Minutes of First Committee, Geneva, 1931, p. 132.

(3) League of Nations, Official Journal, Special Supplement No. 105, Records of 13th Ordinary Session of Assembly, Minutes of First Committee, Geneva, 1932, p. 68.

(4) League of Nations, Official Journal, Verbatim Record of 13th Ordinary Session of Assembly, 10th Plenary Meeting, Oct. 12, 1932, Geneva, p. 9.

(5) League of Nations Journal, 14th Assembly, No. 11, Oct. 6, 1933, Geneva, p. 125.

In recommending an equality Convention on nationality, therefore, we do so in the belief that it is a practicable proposal not only because of the extent to which equality in nationality already obtains in the Americas but also because it would seem that the Governments which have made such a sustained fight for equality in nationality at The Hague and at Geneva would wish to support this same program on their home soil where they are no longer handicapped, as at The Hague and at Geneva, by the opposition of many of the European governments to the equality ideal.

Practicability of an Equality Convention in View of World Trend toward Equality in Nationality

While equal treatment of men and women in nationality prevails more widely in the two Americas than elsewhere, a convention to establish equality on this subject in the Americas would not run counter to the rest of the world as there is a growing support for this position the world over. Seventeen countries outside of the American Republics, for example, have radically amended their nationality laws within the last fifteen years in the direction of equality. These countries, with the years in which the principal advances were made, are: Union of Soviet Socialist Republics (1918); Belgium (1922, 1926, 1927, 1932); Estonia (1922, 1932); Norway (1924); Roumania (1924); Sweden (1924); Denmark (1925); Iceland (1926); Finland (1927); France (1927); Turkey (1928); Yugoslavia (1928); Albania (1929); China (1929); Persia (1929); Spain (1931); Canada (1932). Advances toward equality were also made on a smaller scale in a number of other countries, during this period, and in no country was there any nationality legislation in the opposite direction.

This world wide trend toward equality was evident even at The Hague Codification Conference which, although it adopted a convention discriminating against women in nationality, nevertheless paid tribute to the equality ideal by recommending to States: (1)

> "the study of the question whether it would not be possible:
>
> 1- to introduce into their law the principle of the equality of the sexes in matters of nationality, taking particularly into consideration the interests of the children,
>
> 2- and especially to decide that, in principle, the nationality of the wife shall henceforth not be affected without her consent either by the mere fact of marriage or by any change in the nationality of her husband."

The trend toward equality was also evidenced in the discussions in the last two Assemblies of the League of Nations and in the resolutions adopted by those Assemblies. The 1932 Assembly adopted a resolution stating, with regard to The Hague Codification Conference:

> "the Codification Conference did not intend to embody in the provisions of the 'Convention on certain questions relating to the conflict of nationality laws' any principle in contradiction with the independence of the nationality of married women." (2)

Still more significant was the fact that a resolution was introduced in the 1932 Assembly, and was supported by a large number of delegations, proposing to substitute the word "person" for the word "woman" in the Hague Nationality Convention in order to remove the discriminations against women from that Convention.(3)

The equality trend was again shown in the resolution adopted by the 1933 Assembly reading: (4)

> "The Assembly:

---

(1) League of Nations, Acts of Conference for Codification of International Law, held at The Hague, Mar. 13th to Apr. 12th, 1930, Vol. I, Plenary Meetings, Geneva, 1930, p. 163.

(2) League of Nations, Nationality of Women, Report by First Committee to 13th Ordinary Session of the Assembly, Official No. A. 61, 1932, V. Geneva, Oct. 10, 1932, p. 4.

(3) League of Nations Official Journal, Records of 13th Ordinary Session of Assembly, Special Supplement No. 105, Minutes of First Committee, Geneva, 1932, p. 17, Resolution introduced by M. Rollin, Delegate from Belgium.

(4) League of Nations Journal, 14th Session of Assembly, No. 11, Geneva, Oct. 6, 1933, Geneva, p. 126, 127.

...

"Having regard to the fact that a certain number of States give in their law a very wide application to the principle of the equality of the sexes:

"Expresses the hope that, before the next session of the Assembly, the Governments will have put the Secretary General in a position to communicate to the Council the information as to the effect which they have found it possible to give to recommendation No. VI of the Codification Conference." (The recommendation that the States should study "the question whether it would not be possible to introduce into their law the principle of the equality of the sexes in matters of nationality.")

A convention to establish equality in nationality for this Hemisphere could be put into operation even if the legislation of the rest of the world were based entirely upon inequality. The fact, however, that there is a considerable and a constantly increasing measure of support for equality in nationality outside of the Americas is an added reason why the adoption of an equality convention on nationality by the American Republics is practicable at the present time.

IX

CONSIDERATION OF OBJECTIONS TO A CONVENTION TO ESTABLISH EQUALITY IN NATIONALITY

No very serious objection has been brought, so far as we are aware, to the proposal for an equality convention on nationality for the Western Hemisphere. The principal objections suggested will be considered in turn.

Would such a Convention imperil the Unity of the Family in regard to Nationality?

Our answer is that there is not necessarily any incompatibility between the equality of the sexes and family unity in regard to nationality. It would be possible for a country to give equal treatment to a husband and wife in regard to nationality and at the same time to require them to have the same nationality and to require the children to have that nationality. For example, their common nationality might be made to depend upon domicile, or upon agreement between husband and wife the law being the same for both. In this connection we call attention to a discussion by Professor Hyde of Columbia University, in the American Journal of International Law. Professor Hyde says: (1)

"Discriminations against a woman on account of her sex ought to be avoided; and such discrimination is always apparent when marriage imposes any restriction upon her choice of nationality that is not equally imposed upon that of her husband. Discrimination is not, however, apparent when both spouses are subjected to the same restriction .... It needs to be constantly borne in mind that equality of treatment of wife and husband and the unity of nationality are not necessarily incompatible with each other. Thus it is believed that any proferred solution of the main problem arising from the marriage of persons of differing nationalities must, in order to win the general approval of the international society, pay due respect to both factors. Such respect demands acquiescence in the theory that marriage should itself serve to produce an effect upon the nationality of either of the spouses, an effect not inequitable to the interests of either, and possibly advantageous to those of both. Even if that effect involve a change of the nationality of the man or of the woman without any consent other than that derived from the agreement to marry, there is no discrimination adverse to the woman provided the husband be dealt with in the same way. If the effect serves to restrict equally the freedom of choice of husband and wife and is based on considerations unrelated to the sex of either, the way may be clear to safeguarding the essential interests of both parties without clothing them with different nationalities as they embark upon their married life."

---

(1) "Aspects of Marriage between Persons of differing Nationalities", by Charles Cheney Hyde in the American Journal of International Law, Oct. 1930, p. 744.

It seems clear, therefore, for the reasons set forth above, that a convention establishing equality in nationality would not interfere with the unity of the family in the matter of nationality.

Would such a Convention increase Statelessness and dual Nationality?

We wish to point out in reply that statelessness and dual nationality are not caused by equality between men and women in regard to nationality, but by the fact that equality is not yet universal. Statelessness and dual nationality are largely due to the existence, side by side, of the system of the independent nationality of the woman with the system compelling her to take her husband's nationality. To take an example: When a woman from the United States marries an Argentinian, neither statelessness nor dual nationality results because by the law of both countries(1) a woman keeps her own nationality in such a case. When, on the other hand, a woman from the United States marries a Haitian man there is dual nationality because by United States law(2) she keeps her own nationality while by Haitian law(3) she is obliged to take her husband's nationality. Furthermore, when a Haitian woman marries a United States man there is statelessness because by Haitian law(4) she loses her own nationality and by United States law(5) she does not acquire United States nationality.

If conflicts of this nature are to be decreased, all countries must unite upon a common policy. There seems no likelihood, however, of the universal adoption of the system whereby a woman's nationality follows her husband's since the trend of modern legislation is overwhelmingly in the opposite direction. The only practicable way to obtain uniformity, therefore, would seem to be for all countries to give a woman the same right as a man to her own nationality. This course would not increase but would lessen a statelessness and dual nationality because it would establish throughout the world one system of law upon the nationality of women in place of the two opposing systems existing at present. The adoption of an equality convention on nationality by the Western Hemisphere would be one step toward a general system of law for the world upon this subject, and in the meantime it would decrease statelessness and dual nationality in the case of marriages between men and women of the Republics of this Hemisphere.

Would such a Convention increase the present Confusion in the Nationality Laws of the World?

On the contrary, such a convention would add to the simplicity and symmetry of the nationality laws of the world, for if there were only one nationality law for all adults a large part of the existing nationality legislation would be eliminated. As may be seen from the synopses attached to this report, there is, usually, a basic nationality law in each country and added to this are qualifications and additions applying only to women. To take an example from the United States: In the early days the law with regard to the effect of marriage upon nationality was exceedingly simple - marriage had no effect upon the nationality of a man or a woman. Then came a law that a woman always lost her nationality upon marriage to a foreigner. Then came a law that a woman lost her nationality upon marriage to a foreigner if she expressly renounced her nationality, or if she married a foreigner and lived for two years in his country or five years in a foreign country and did not overcome the presumption of loss of citizenship, or if she married a foreigner ineligible to citizenship. Then came a law that a woman lost her nationality upon marriage to a foreigner if she expressly renounced her nationality, or if she married a foreigner ineligible to citizenship. Then came the present law that a woman loses her nationality upon marriage to a foreigner only if she expressly renounces it. Parallel with these elaborations went a series of regulations as to how a woman could regain her nationality after she had lost it. There was thus built up on the simple law that marriage to a

---

(1) Act of U.S.A. Congress Sept. 22, 1922, sec. 3, amended July 3, 1930 and Mar. 3, 1931; Opinion of Argentine Supreme Court, June 12, 1902; Decree of Argentine Minister for Foreign Affairs, Oct. 8, 1920.

(2) Act of U.S.A. Congress Sept. 22, 1922, sec. 3, amended July 3, 1930, and Mar. 3, 1931.

(3) Haitian Nationality Law, Aug. 22, 1907, art. 9.

(4) Ib.

(5) Act of U.S.A. Congress, Sept. 22, 1922, sec. 2, amended July 3, 1930 and Mar. 3, 1931.

foreigner did not affect the nationality of either a man or woman, an excrescence of additions and exceptions, applying only to a woman, and making the law extremely involved.(1) This illustration is typical of the situation in most countries. A convention that would wipe out these special regulations applying only to women would, it seems evident, simplify the nationality laws of the world instead of making them more confused.

Would such a Convention cause Difficulties in regard to the Nationality of Children?

The most complete answer to this objection is that equality between men and women in the right to transmit nationality to their children already exists in thirteen States - Argentine, Chile, Colombia, Dominican Republic, Ecuador, Nicaragua, Panama, Paraguay, Peru, Union of Soviet Socialist Republics, Turkey, Uruguay and Venezuela - and that no great difficulties seem to have resulted.

The manner in which the various Latin American countries have established equality in parentage rights is given in the synopses in Part II of this report. The other two countries having equality in this respect are the Soviet Union and Turkey. The Soviet Union has established equality by giving Soviet Union nationality to a child, wherever born, whose father or whose mother is a national of the Soviet Union at the time of the child's birth, and regardless of the marriage relations of the parents.(2) Turkey has established equality by giving Turkish nationality to a legitimate or legitimated or a recognized illegitimate child of a Turkish father or mother, wherever born; to a child born in Turkey of unknown parents or of parents without nationality; to a child born in Turkey of a foreigner born in Turkey except in the case of children of foreign ambassadors, officers and attachés of embassies, and consular officials, who are nationals of the countries which they represent. A child who receives Turkish nationality by virtue of birth in Turkey of a foreigner born in Turkey, has the right to choose the nationality of the foreign parents within six months after attaining majority according to Turkish law.(3) Thus, it will be observed, each of the thirteen countries having equality in the right to transmit nationality, has solved this problem in its own way and in none of them do the difficulties with regard to the child's nationality seem to be any greater than in countries which give the preference to the father.

While considering this question we wish to call attention to a discussion of this particular objection by Dr. James Brown Scott, President of the American Institute of International Law. Dr. Scott writes: (4)

> "In the law and practice of Argentine, Chile, Colombia, Dominican Republic, Ecuador, Nicaragua, Panama, Paraguay, Peru, Union of Soviet Socialist Republics, Turkey, Uruguay and Venezuela, the nationality of children does not depend upon the nationality of one parent, to the exclusion of the other... The advocate of equal rights in the matter of nationality for children, without discrimination of parentage, is not without precedent for his views. It is, therefore, absurd to maintain that what some nations have done, other nations may not do. The principle of equality seems strange and therefore unacceptable only to those who have not taken the trouble to inform themselves that the partisan of equal rights is not advocating a theory, but an existing law of States which may, consequently, become the law of all States. The advocate of reform is often met with the objection that it cannot be done. Here, however, is proof positive that it can be, because it is; and that a change from inequality is possible without convulsing the society in which it takes place."

We also present a statement concerning the experience of Chile, which is of particular interest as Chile has had equality in this matter for many years. His Excellency, Señor Don Carlos Davila, former President of Chile, wrote: (5)

---

(1) See the synopsis of the nationality laws of the United States in Part II of this report, p. 64, footnote.

(2) Soviet Union, Law Apr. 22, 1931, Collection of Laws and Decrees, No. 24, sec. 196, art. 7.

(3) Turkey, Law No. 1312, May 28, 1928, arts. 1, 2, 3; Law No. 1414, Apr. 6, 1929, art. 1.

(4) Translation from "Le Progrés du Droit des Gens," James Brown Scott, Président de l'Institut de Droit International. Les Editions Internationales, Paris, 1930, p. 217.

(5) Letter to Inter American Commission of Women, Nov. 29, 1929.

"According to the law of Chile, a Chilean father and a Chilean mother have equal capacity to transmit nationality to their children. The law with regard to the bestowing of nationality upon the child is identical for Chilean men and women, and this applies to the illegitimate child as well as to the legitimate child. Chile is one of the few countries in which there is no discrimination against the mother in the matter of giving nationality to her child, whether legitimate or illegitimate."

Similar testimony could be brought concerning the practical working of the nationality law in each of the thirteen countries in which there is equality in parentage rights.

Would such a Convention produce Complications in the Nationality Laws of Countries accepting the Convention?

Of all the objections, this is the one most frequently encountered. It is a vague fear of something untried. In answer, we offer testimony from a country represented at this Conference, Paraguay, which has already put the equality theory into practice as far as nationality is concerned. His Excellency, Señor Dr. Enrique Bordenave, the official representative in Washington of the Paraguayan Government, formerly Professor of International Law at the University of Asunción and a member of the Paraguayan Senate, testifies thus concerning the experience of Paraguay with regard to equality in nationality: (1)

"October 25, 1933.

"I am glad to be able to tell you that Paraguay is a country in which there is complete equality, in every respect, between a man and woman in regard to nationality. And I am glad also to be able to tell you that our equality laws on nationality have brought only good results. Our law is simple and clear on this subject. No complications whatever have resulted from giving the same rights to men and women in regard to their nationality. This has been the law in our country for a long time. I have never heard a criticism of this law and have never heard the suggestion that it should be changed.

"According to the law of Paraguay, the right to bestow nationality upon a child is identical for Paraguayan men and women, and this applies to the illegitimate child who has been legitimated or legally recognized, as well as to the legitimate child. Paraguay is one of the countries in which there is absolutely no discrimination between the father and the mother in the matter of giving nationality to their child, whether legitimate or illegitimate.

"Paraguay is also a country in which marriage does not change a woman's nationality in any way. Marriage to a foreigner does not ever change the nationality of a Paraguayan woman and marriage by a foreign woman to a Paraguayan man does not change the foreign woman's nationality. Our law with regard to the effect of marriage upon nationality is in every respect the same for men and women.

"The Paraguayan law concerning the effect of a change of nationality after marriage is also the same for men and women. The naturalization of a foreign man or woman as a Paraguayan subject does not carry with it a corresponding naturalization of the wife or husband. Each must become naturalized independently, and either husband or wife may become naturalized while the other remains an alien. The consent of the husband is not necessary for the wife's naturalization - and vice versa, the consent of the wife is not necessary for the husband's naturalization.

"Furthermore, there is no distinction between a man and woman with regard to the effect of a change of nationality upon the nationality of their child. The naturalization of a foreign man or woman as a Paraguayan does not carry with it the naturalization of their minor children.

"Paraguayan law does not recognize the relinquishing of Paraguayan nationality by either a man or woman, even though a new nationality is acquired, and the question does not arise, consequently, of the effect of the relinquishing of Paraguayan nationality upon the nationality of

---

(1) Letter to Inter American Commission of Women, Oct. 25, 1933.

their child. There is no distinction whatever between the father and mother in this respect.

"This is - in brief - the Paraguayan law on nationality. It is, as you will observe, a law which contains no differences based on sex - and it is a law which has worked most satisfactorily, in practice.

Sincerely yours,

(signed) "Dr. Don Enrique Bordenave
E. E. and M. P."

Similar testimony could be brought concerning all of the other countries having equality in nationality but because of lack of space we present this one statement only.

IX

CONCLUSION

For the reasons set forth in the preceding pages we recommend that the Seventh Conference of American Republics act to banish all discriminations based on sex from the nationality laws of the Republics of the Western Hemisphere. In recommending this course we believe that we are advocating a measure that will be for the benefit of all women, both in this Hemisphere and throughout the World, because what is done at Montevideo will affect the status of women everywhere - and not only now but for ages to come. By adopting a convention embodying such a fundamental principle of justice, the Conference at Montevideo would become a turning point in history. It would mark the first time that the position of women had been raised to a higher level by the united action of a group of nations. It would mark the first time that the status of half the people of two continents had been raised by means of an international agreement. And such a convention would not only lift the status of women but it would give to the New World, for the first time, a position of leadership in the making of international law. It would give to the New World a position of leadership in the building of a better social order - for a better social order must come with equality between men and women.

SYNOPSES OF THE LAWS OF THE REPUBLICS OF THE WESTERN HEMISPHERE

ON THE NATIONALITY OF WOMEN

The nationality laws relating to women in the twenty-one American Republics are outlined in the following pages. The purpose of this survey is to show the basis for women's demand for equality in nationality.

While the object of this compilation has been to give a clear picture of the status of women in the matter of nationality and not to produce a legal treatise, every effort has been made, nevertheless, to ensure the correctness of all statements regarding the law. The following synopses are based upon the constitutional provisions of the various countries, their nationality laws and decrees, their court decisions, their consular instructions, opinions of their legal commentators and jurists, and rulings by their officials. Where the law is silent or so vague as to be susceptible of different interpretations, a statement by a Government official as to the actual practice in the country has been given, wherever obtainable. Through the assistance of the Carnegie Endowment for International Peace, the synopses have been verified for nearly every country by the Foreign Office of the country in question and the comments and corrections by the Foreign Offices have been used in the preparation of this report.

P A R T II

SYNOPSES OF THE LAWS OF THE REPUBLICS OF THE WESTERN HEMISPHERE ON THE NATIONALITY OF WOMEN (1)

Contents

---

(1) Attention is called to the fact that the statements in the following synopses are not quotations from the law but are summaries of the law relating to the nationality of women. The citation following each statement refers to the section of the constitution, or code, or law, upon which the particular statement is based, or from which it has been deduced, or refers to the governmental or other authority for the statement.

In these synopses the word "nationality" is used, unless otherwise stated, to denote the relationship of an individual to his State and the word "citizenship" to denote the possession within a State of various political and civil rights granted by the State to certain groups among its nationals.

In giving the dates of constitutions, codes, and nationality laws, the effort has been made to follow the custom of the country in question and to give the citations in the form usually employed in the particular country; sometimes the date used is the date of passage by the parliamentary body, sometimes the date of signing by the executive, sometimes the date of promulgation, and sometimes the date on which the measure went into force.

In the matter of the names of countries and cities, the rules of the Government Printing Office, Washington, with regard to spelling, etc., have been followed.

THE ARGENTINE REPUBLIC (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in the Argentine Republic, has Argentine nationality regardless of the nationality of the parents, with the exception of the children of foreign ministers and members of legations residing in the country.

Law No. 346, Oct. 8, 1869, art. 1 (1).

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a native Argentine father or mother has Argentine nationality if the child later makes a declaration of choice of Argentine nationality, in the form prescribed by law.

Law No. 346, Oct. 8, 1869, art. 1 (2); Civil Code, arts. 319, 325.

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

An Argentine woman who marries a foreigner does not lose Argentine nationality as a result of the marriage, under any circumstances.

Opinion delivered by Supreme Court of the Argentine Republic, June 12, 1902.

A foreign woman who marries an Argentine man does not acquire Argentine nationality as a result of the marriage, under any circumstances. An Argentine passport and diplomatic facilities may be given to the foreign wife or widow of an Argentine man when such wife or widow has no nationality, as a result of having lost her original nationality by her marriage, according to the law of her country, and not having acquired Argentine nationality, according to Argentine law. The granting of such a passport, and diplomatic facilities does not mean the recognition of Argentine nationality, however.

Opinion delivered by Supreme Court of the Argentine Republic, June 12, 1902; Decree of Minister for Foreign Affairs, Oct. 8, 1920; Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

---

(1) The Interpretation of the Argentine nationality law given in this synopsis was verified and approved by the Argentine Foreign Office, Sept. 1929, through courtesy of the United States Embassy, Buenos Aires. A letter from the Embassy, Sept. 14, 1929, stated:

"The Foreign Office, to which the statement was sent, has replied that the data as therein set forth are correct."

In a letter dated Aug. 16, 1933, the Argentine Embassy in Washington wrote:

"1. There has been no legislation since 1930 in Argentina in regard to the nationality question, especially in regard to the nationality of women.

"2. The Constitution of September 25, 1860; Law No. 346 of October 8, 1869, on Argentine citizenship, and the Nationality Decree of October 8, 1920, by the Minister of Foreign Affairs, are still in force.

"3. No changes have been made in the preceding affecting the nationality of women."

THE ARGENTINE REPUBLIC

3. Regaining Nationality lost by Marriage and Obtaining Release from Nationality acquired by Marriage

This question does not arise in the Argentine Republic as nationality is not acquired or lost in this country by either a man or woman because of marriage.

(See preceding paragraph)

4. Changes in Nationality after Marriage

There is no distinction in the law between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as an Argentinian does not carry with it a corresponding change in the nationality of the wife or husband.

Decree of Minister for Foreign Affairs, Oct. 8, 1920; Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

A foreign married man or woman may be naturalized as an Argentinian independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

The voluntary relinquishment or the loss of Argentine nationality by an Argentine man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

An Argentine married man or woman may relinquish Argentine nationality independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as an Argentinian does not carry with it a corresponding change in the nationality of a minor child.

Law No. 346, Oct. 8, 1869, art. 3; Decree of Minister for Foreign Affairs, Oct. 8, 1920; Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

THE ARGENTINE REPUBLIC

The voluntary relinquishment or the loss of Argentine nationality by an Argentine man or woman does not carry with it a corresponding change in the nationality of a minor child.

Information concerning the administration of the law, furnished by Argentine Foreign Office, Buenos Aires, Sept. 14, 1929, through courtesy of United States Embassy, Buenos Aires.

BOLIVIA (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Bolivia, has Bolivian nationality regardless of the nationality of the parents.

Constit. Oct. 17, 1880, as amended to 1931, art. 37 (1).

A legitimate or legitimated child born abroad of a Bolivian father has Bolivian nationality if the child becomes domiciled in Bolivia.

Constit. Oct 17, 1880, as amended to 1931, art. 38 (1).

A legitimate or legitimated child born abroad of a Bolivian father or mother who is in the service of the Bolivian Government or who has emigrated for political reasons, has Bolivian nationality even for those purposes with regard to which birth within the country is normally required.

Constit. Oct 17, 1880, as amended to 1931, art. 37 (1).

A legitimate or legitimated child born abroad of a Bolivian mother, who has married a foreigner, has Bolivian nationality when the birth occurs after the death of the father and after the mother has recovered Bolivian nationality, provided that the child becomes domiciled in Bolivia.

Constit. Oct. 17, 1880, as amended to 1931, art. 38 (1); Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

An illegitimate child born abroad of a Bolivian father or mother, and legally recognized by the father or mother, has Bolivian nationality, if the child becomes domiciled in Bolivia. When such a child is recognized by both parents, it takes the nationality of the parent who first recognizes it. When it is recognized simultaneously by the parents it takes the nationality of the father.

Constit. Oct. 17, 1880, as amended to 1931, art. 38 (1); Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Bolivian woman who marries a foreigner loses Bolivian nationality in all

---

(1) The interpretation of the Bolivian nationality law given in this synopsis was verified and approved, with certain additions and corrections, by the Bolivian Department of Justice, Feb. 1930. The United States Legation, La Paz, forwarded a memorandum, Feb. 21, 1930, from the Department of Justice giving detailed information concerning the nationality law in Bolivia, which has been incorporated in the synopsis as here presented.
In a letter to the Inter American Commission of Women, Nov. 3, 1933, Senor Don Enrique S. de Lozada, Secretary of the Bolivian Legation, Washington, wrote:
"I have checked up the interpretations of the Bolivian Laws included in the synopsis that you have been good enough to submit to this Legation. As far as my knowledge goes, all the items of the synopsis are correct."

cases, even though she does not acquire her husband's nationality by the marriage, according to the law of his country.

Civil Code, Oct. 25, 1830, art. 11.

A foreign woman who marries a Bolivian man acquires Bolivian nationality in all cases.

Civil Code, Oct. 25, 1830, art. 8.

Marriage does not change the nationality of a man, under any circumstances.

Civil Code, Oct. 25, 1830, arts. 8, 11; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Bolivian nationality by marriage regains that nationality upon the death of her husband if she continues her residence in Bolivia or returns to Bolivia and declares that she desires to establish herself there.

Civil Code, Oct. 25, 1830, art. 11.

A foreign woman who has acquired Bolivian nationality by marriage may relinquish that nationality upon termination of the marriage by reacquiring her original nationality, or acquiring a new nationality, or establishing her residence in a foreign country with the intention of not returning to Bolivia.

Civil Code, Oct. 25, 1830, art. 9.

This question does not arise in the case of a man, as a man does not acquire or lose Bolivian nationality by marriage.

Civil Code, Oct. 25, 1830, arts. 8, 11; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Bolivian carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Civil Code, Oct. 25, 1830, art. 8; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

B O L I V I A

A foreign married woman may not be naturalized as a Bolivian independently of her husband.

Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

The voluntary relinquishment or the loss of Bolivian nationality by a Bolivian man carries with it a corresponding change in the nationality of his wife, who is not divorced or separated from him. A Bolivian woman has no similar power to change the nationality of her husband by any independent action on her part.

Civil Code, Oct. 25, 1830, arts. 8, 9; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

A Bolivian married woman may not relinquish Bolivian nationality independently of her husband.

Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

5. Effect of change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Bolivian carries with it a corresponding change in the nationality of his children provided that they are domiciled in Bolivia.

Constit. Oct. 17, 1880, as amended to 1931, art. 38 (1).

The voluntary relinquishment of the loss of Bolivian nationality by a Bolivian man carries with it a corresponding change in the nationality of his children, provided that they acquire their father's new nationality by the law of his adopted country and that they leave Bolivia.

Civil Code, Oct 25, 1830, art. 9; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

A mother is unable to change the nationality of her child during the continuance of the marriage.

Civil Code, Oct. 25, 1830, arts. 8, 10; Information concerning the administration of the law, furnished by Bolivian Ministry of Justice, La Paz, Feb. 21, 1930, through courtesy of United States Legation, La Paz.

BRAZIL (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate, or illegitimate, born in Brazil, has Brazilian nationality regardless of the nationality of the parents, excepting the child of a foreigner in the service of his own nation.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 69 (1); Decree No. 6948, May 14, 1908, art. 1 (1).

A legitimate child born abroad of a Brazilian father has Brazilian nationality, provided that the child establishes its domicile in Brazil.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 69 (2); Decree No. 6948, May 14, 1908, art. 1 (2).

A legitimate child born abroad of a Brazilian father who is residing abroad in the service of Brazil, has Brazilian nationality in every case, regardless of whether the child establishes its domicile in Brazil.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 69 (3); Decree No. 6948, May 14, 1908, art. 1 (3).

An illegitimate child born abroad of a Brazilian mother has Brazilian nationality, provided that the child establishes its domicile in Brazil.

Constit. Feb. 24, 1891, amended Sept. 7, 1926; art. 69 (2); Decree No. 6948, May 14, 1908, art. 1 (2).

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Brazilian man or woman who marries a foreigner does not lose Brazilian

---

(1) The interpretation of the Brazilian nationality law given in this synopsis was verified and approved by the Brazilian Foreign Office, November, 1933. A letter from the Brazilian Embassy, Washington, November 28, 1933, enclosed a memorandum from the Legal Department of the Brazilian Foreign Office stating, with regard to the synopsis:

"The synopsis as submitted is correct with the exception of a few changes in the point Nationality at Birth, a corrected copy of which is enclosed." (The changes referred to have been incorporated in the synopsis as here presented).

nationality as a result of the marriage, under any circumstances.

Decree No. 21,076, Feb. 24, 1932, art. 3 (b); Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janiero.

A foreign man or woman having real property in Brazil who marries a Brazilian, or who has Brazilian children and lives with them in Brazil, acquires Brazilian nationality by the marriage unless a declaration of intention to retain the original nationality is made, in the form prescribed by law.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 69 (5); Decree No. 6948, May 14, 1908, art. 1 (5); Decree No. 21,076, Feb. 24, 1932, art. 3 (a).

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

There is no distinction in the law between a husband and wife with regard to regaining nationality lost by marriage, and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A foreign man or woman who has acquired Brazilian nationality, as a result of marriage to a Brazilian combined with ownership of real property in Brazil, may relinquish Brazilian nationality at any time, without waiting for the termination of the marriage, by becoming naturalized in the country of origin or in another country and establishing residence therein. Such a person may not secure release from Brazilian nationality, however, without being naturalized in the country of origin or in another country, and the permanent return to the original country without naturalization there is not sufficient.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 71 (2a); Decree No. 569, June 7, 1899, art. 1 (1); Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

The question of the recovery of Brazilian nationality lost by marriage does not arise in Brazil as neither a man or woman loses Brazilian nationality by marriage to a foreigner.

Decree No. 21,076, Feb. 24, 1932, art. 3 (b); Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

4. Changes in Nationality after Marriage

There is no distinction in the law between husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Brazilian is personal to the individual naturalized and does not carry with it a corresponding change in the nationality of the wife or husband.

Decree No. 6948, May 14, 1908; Statement by Brazilian Government in letter dated Feb. 2, 1932, to League of Nations. (League of Nations Publications V Legal 1932, V 2, A. 15, p. 5).

BRAZIL

A foreign married man or woman may be naturalized as a Brazilian independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

The requirements for the naturalization of foreigners are reduced for a foreign man who marries a Brazilian woman, and in the same way for a foreign woman who marries a Brazilian man.

Decree No. 6948, May 14, 1908, art. 5 (1); Introduction to Civil Code, Jan. 3, 1917, art. 7; Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

The voluntary relinquishment or the loss of Brazilian nationality by a Brazilian man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Decree No. 569, June 7, 1889; Statement by Brazilian Government in letter dated Feb. 2, 1932, to League of Nations. (League of Nations Publications V Legal 1932, V 2, A. 15, p. 5).

A Brazilian married man or woman may relinquish Brazilian nationality independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Brazilian does not carry with it a corresponding change in the nationality of a minor child, as the personal naturalization of every individual naturalized is required under Brazilian law. However, minor children who were in Brazil on November 15, 1889, were considered to be tacitly naturalized as Brazilians, under art. 69 (4) of the Constitution, if their parents made no declaration to the contrary within six months after the Constitution went into effect.

Constit. Feb. 24, 1891, amended Sept. 7, 1926, art. 69 (4); Decree No. 6948, May 14, 1908, arts. 1 (4), 5; Information concerning the administration of the law, furnished by Brazilian Ministry for Foreign Affairs, Rio de Janeiro, Aug. 31, 1929, through courtesy of United States Embassy, Rio de Janeiro.

The voluntary relinquishment or the loss of Brazilian nationality by a Brazilian man or woman does not carry with it a corresponding change in the nationality of a minor child.

Decree No. 569, June 7, 1899, art. 1.

CHILE (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Chile has Chilean nationality, except in the case of the children of foreigners who are in Chile in the service of their Government and the children of foreigners who are in the country as transients. In these two cases the children may choose between Chilean nationality and that of their parents, or that of one parent when they are of different nationalities, provided that the declaration of choice is made, before the proper official, within one year after the completion of the twenty-first year.

Constit. Sept. 18, 1925, art. 5, (1); Law No. 4200, Sept. 27, 1927, sole article.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Chilean father or mother has Chilean nationality if the child becomes domiciled in Chile.

Constit. Sept. 18, 1925, art. 5 (2); Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of Chilean parents, when the father or mother is at the time in the service of Chile, has Chilean nationality even for those purposes with regard to which the law normally requires birth in Chile.

Constit. Sept. 18, 1925, art. 5 (2).

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and a woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Chilean woman who marries a foreigner does not lose Chilean nationality as a result of the marriage, under any circumstances.

Information concerning the administration

---

(1) The interpretation of the Chilean nationality law given in this synopsis was verified and approved by the Chilean Foreign Office, Oct. 1929. A letter from the United States Embassy, Santiago, Oct. 10, 1929, stated with regard to the synopsis:

"The Embassy is now in receipt of a reply from the Minister for Foreign Affairs stating that the data is correct except for point five, 'Effect of Change of Nationality by Parents', which is in fact as follows:" (The correction made by the Chilean Foreign Office has been incorporated in the synopsis as here presented).

In a letter to the Inter American Commission of Women, Nov. 2, 1933, the Chilean Ministry for Foreign Relations wrote with regard to the synopsis:

"There has been no change relating to the nationality question in Chile which affects your study of the nationality laws, a copy of which study I have examined."

CHILE

of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

A foreign woman who marries a Chilean man does not acquire Chilean nationality as a result of the marriage, under any circumstances. When such a woman loses her own nationality by the marriage, according to the law of her country, she may be given a Chilean passport when traveling with her husband or alone, but the granting of a passport in such a case does not mean the recognition of Chilean nationality.

Decree No. 810, Feb. 15, 1928, issued by Minister of Interior, art. 39; Regulations No. 7012, May 30, 1930, and No. 14,616, Dec. 16, 1930, issued by Minister for Foreign Affairs, Santiago.

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

This question does not arise in Chile as nationality is not acquired or lost in this country by either a man or woman because of marriage.

(see preceding paragraph).

4. Changes in Nationality after Marriage

There is no distinction in the law between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Chilean does not carry with it a corresponding change in the nationality of the wife or husband.

Constit. Sept. 18, 1925, art. 5 (3, 4); Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

A foreign married man or woman may be naturalized as a Chilean independently of the other party to the marriage and upon the same terms.

Law No. 747, Dec. 15, 1925; Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

The voluntary relinquishment or the loss of Chilean nationality by a Chilean man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Constit. Sept. 18, 1925, art. 6; Law No. 747, Dec. 15, 1925; Information concerning the

administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

A Chilean married man or woman may relinquish Chilean nationality independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Chilean carries with it a corresponding change in the nationality of a minor child, provided that the child is domiciled in Chile.

Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

The voluntary relinquishment or the loss of Chilean nationality by a Chilean man or woman does not carry with it a corresponding change in the nationality of a minor child.

Information concerning the administration of the law, furnished by Chilean Ministry for Foreign Affairs, Santiago, Oct. 10, 1929, through courtesy of United States Embassy, Santiago.

C O L O M B I A [1]

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Colombia of a Colombian father or mother, or of foreign parents domiciled in Colombia, has Colombian nationality "by birth". (Nationality "by birth" is necessary for the holding of various offices in the country).

Constit. Aug 4, 1886, art. 8 (1).

A legitimate child born in a foreign country of parents both of whom are Colombians, has Colombian nationality, "by birth", if the child becomes domiciled in Colombia.

Constit. Aug. 4, 1886, art. 8 (2); Information concerning the administration of the law, furnished by Dr. Carlos A. Urueta, former Minister of Foreign Affairs, Bogotá, Aug. 23, 1929, through courtesy of United States Legation, Bogotá.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of parents one of whom is a Colombian, has Colombian nationality by "origin and residence", if the child becomes domiciled in Colombia. (A person who has Colombian nationality by "origin and residence" only is not permitted to hold various offices in the country).

Constit. Aug. 4, 1886, art. 8 (2); Information concerning the administration of the law, furnished by Dr. Carlos A. Urueta, former Minister of Foreign Affairs, Bogotá, Aug. 23, 1929, through courtesy of United States Legation, Bogotá.

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Colombian woman who marries a foreigner does not lose Colombian nationality as a result of the marriage, under any circumstances.

Constit. Aug. 4, 1886, art. 9; Decision by Colombian Ministry for Foreign Affairs in case of Sra. Reyes Gnecco de Dugand, Mar. 24,

---

(1) The interpretation of the Colombian nationality law given in this synopsis was verified and approved by the Colombian Foreign Office, Oct. 11, 1933, in a letter to the Inter American Commission of Women which was transmitted by the Colombian Legation, Washington, Nov. 14, 1933. The Foreign Office wrote, with regard to the synopsis:

"I am glad to return the letter from the Chairman of the Nationality Committee of the Inter American Commission of Women, with the attached synopsis, duly verified, finding correct the interpretation of the points contained therein, in the light of Colombian legislation."

C O L O M B I A

1888; Decision by Colombian Ministry for Foreign Affairs in case of Sra. Emma Hulsman, 1923; Statement by Colombian Government in letter dated Dec. 22, 1931, to League of Nations.

A foreign woman who marries a Colombian man does not acquire Colombian nationality as a result of the marriage, under any circumstances.

Statement by Colombian Government in letter dated Dec. 22, 1931, to League of Nations. (League of Nations Publications V Legal 1932, V 2, A 15, p. 5).

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Colombian Ministry for Foreign Affairs, Bogotá, Jan. 10, 1930, through courtesy of United States Legation, Bogotá.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

This question does not arise in Colombia as nationality is not acquired or lost in this country by either a man or woman because of marriage.

(See preceding paragraph).

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Colombian carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part. A woman who has been naturalized as a Colombian through the naturalization of her husband may recover her nationality of origin at any time by obtaining naturalization in her own country.

Law No. 145, Nov. 26, 1888, art. 17; Letter from Colombian Ministry for Foreign Affairs, Bogotá, Apr. 27, 1933, to Representative of Belgian Government in Colombia (Boletin del Ministerio de Relaciones Exteriores, Marzo y Abril de 1933, Vol. III, Nr. 2, p. 83).

A foreign married woman may not be naturalized as a Colombian independently of her husband.

Information concerning the administration of the law, furnished by Colombian Ministry for Foreign Affairs, Bogotá, Jan. 10, 1930, through courtesy of United States Legation, Bogotá.

The voluntary relinquishment or the loss of Colombian nationality by a Colombian man carries with it a corresponding change in the nationality of his wife if she acquires her husband's new nationality by the law of his adopted country and establishes her domicile in that country. A Colombian woman has no similar power to change the nationality of her husband by any independent action on her part.

Constit, Aug. 4, 1886, art. 9; Memorandum from Sub-Commission of Colombian Ministry for Foreign Affairs, Bogotá, signed by Dr. M. A. Carvajal, Dec. 15, 1931, (Boletin del Ministerio de Relaciones Exteriores, Marzo y Abril de 1933, Vol. III, Nr. 2, p. 99).

A Colombian married woman may not relinquish Colombian nationality independently of her husband.

COLOMBIA

Information concerning the administration of the law, furnished by Colombian Ministry for Foreign Affairs, Bogotá, Jan. 10, 1930, through courtesy of United States Legation, Bogotá.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Colombian carries with it a corresponding change in the nationality of his child under twenty-one.

Law No. 145, Nov. 26, 1888, art. 17.

The voluntary relinquishment or the loss of Colombian nationality by a Colombian man does not carry with it a corresponding change in the nationality of his minor child. Colombian law regards such a child as Colombian until the child reaches majority. The child may then relinquish Colombian nationality by acquiring the foreign nationality of the father by naturalization in the foreign country.

Constit. Aug. 4, 1886, art. 9; Letter from Colombian Ministry for Foreign Affairs, Bogotá, Apr. 27, 1933, to Representative of Belgian Government in Colombia (Boletin del Ministerio de Relaciones Exteriores, Marzo y Abril de 1933, Vol. III, Nr. 2, p. 83).

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage. The naturalization of a foreign woman as a Colombian after the death of her husband, however, carries with it a corresponding change in the nationality of her minor child.

Information concerning the administration of the law, furnished by Dr. Carlos A. Urueta, Bogotá, Aug. 23, 1929, through courtesy of United States Legation, Bogotá.

COSTA RICA (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Costa Rica, who does not receive foreign nationality through a foreign father or mother, has Costa Rican nationality.

Constit. Dec. 7, 1871, art. 5 (1).

A legitimate or legitimated child, wherever born, of a Costa Rican father has Costa Rican nationality, provided that when the child is born outside of Costa Rica a declaration of choice of Costa Rican nationality is made on its behalf, during its minority, by the parent exercising the parental authority, or by the child itself after coming of age, in the form prescribed by law.

Constit. Dec. 7, 1871, art. 5 (1,2); Law of Alienship and Naturalization May 13, 1889, art. 1 (1); Decree for obtaining Costa Rican Nationality, Feb. 18, 1931, arts. 15-21.

An illegitimate child, wherever born, of a Costa Rican father, and legally recognized by the father, has Costa Rican nationality, provided that when the child is born outside of Costa Rica a declaration of choice of Costa Rican nationality is made on behalf of the child, during its minority, by the parent exercising the parental authority, or by the child itself after coming of age, in the form prescribed by law.

Constit. Dec. 7, 1871, art. 5 (1,2); Law of Alienship and Naturalization May 13, 1889, art. 1 (3); Decree for obtaining Costa Rican Nationality, Feb. 18, 1931, arts. 15-21.

An illegitimate child, wherever born, of a Costa Rican mother and legally recognized by the mother but not by the father, has Costa Rican nationality, provided that when the child is born outside of Costa Rica a declaration of choice of Costa Rican nationality is made on its behalf during its minority by the parent exercising the parental authority, or by the child itself after coming of age, in the form prescribed by law. If such a child is later recognized by a foreign father, with the consent

---

(1) The interpretation of the Costa Rican Nationality law given in this synopsis was verified and approved by the Costa Rican Foreign Office, Aug. 1929. The United States Legation, San José, forwarded, Aug. 21, 1929, the following communication from the Foreign Office with regard to the synopsis:

"I am pleased to state to Your Excellency that the memorandum mentioned has been reviewed by one of the Chiefs of Section of this Secretariat, who has informed me that this document is in exact accord with the articles of the Constitution and the laws upon which it is based."

The synopsis was also verified and approved by the distinguished Costa Rican jurist, Dr. Luis Anderson, who wrote, Sept. 17, 1929, in a letter to the Inter-American Commission of Women:

"I have received your very able statement regarding the nationality laws in Costa Rica, which I have perused with the greatest interest, finding it accurate in every respect."

Señor Don Manuel González-Zeledón, Chargé d'Affaires of the Costa Rican Legation, Washington, and Costa Rican jurist, in a letter to the Inter-American Commission of Women, Nov. 1, 1933, wrote:

"...I have read the synopsis of principal points in the Costa Rican law covering the nationality of women, and according to the data kept in the files of this Legation, I do not find anything new has been enacted in Costa Rica modifying said synopsis."

of the mother, it loses Costa Rican nationality. A child who has lost Costa Rican nationality in this way, may recover Costa Rican nationality by a declaration of choice of Costa Rican nationality made on behalf of the child, during minority, by the father or mother exercising the parental authority, or by the child itself after coming of age, in the form prescribed by law.

Law of Alienship and Naturalization, May 13, 1889, arts. 1 (2), 4 (4); Decree for obtaining Costa Rican Nationality, Feb. 18, 1931, art. 25.

A legitimate or legitimated child born in Costa Rica of a foreign father has Costa Rican nationality provided that a declaration of choice of Costa Rican nationality is made on behalf of the child, during its minority, by the parent exercising the parental authority, or by the child itself after coming of age, in the form prescribed by law.

Law of Alienship and Naturalization, May 13, 1889, art. 1 (6); Decree for obtaining Costa Rican Nationality, Feb. 18, 1931, arts. 15-21.

A child, legitimate or illegitimate, born or found in Costa Rica of parents of unknown nationality, or of unknown parents, has Costa Rican nationality.

Law of Alienship and Naturalization, May 13, 1889, art. 1 (4).

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Costa Rican woman who marries a foreigner loses Costa Rican nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Law of Alienship and Naturalization, May 13, 1889, art. 4 (5).

A foreign woman who marries a Costa Rican man acquires Costa Rican nationality in all cases.

Constit. Dec. 7, 1871, art. 6 (2); Law of Alienship and Naturalization, May 13, 1889, art. 3 (3).

Marriage does not change the nationality of a man, under any circumstances.

Law of Alienship and Naturalization, May 13, 1889; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage, and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Costa Rican nationality by marriage may regain that

nationality upon the death of her husband or the dissolution of the marriage, by returning to Costa Rica and making a declaration before the proper officials that she desires to settle in Costa Rica and that she renounces her foreign nationality. Otherwise she retains the foreign nationality of her husband.

Law of Alienship and Naturalization, May 13, 1889, art. 5 (5); Decree for obtaining Costa Rican Nationality, Feb. 18, 1931, art. 26.

A foreign woman who has acquired Costa Rican nationality by marriage may relinquish that nationality upon termination of the marriage, by reacquiring her former nationality or acquiring another nationality.

Law of Alienship and Naturalization, May 13, 1889, art. 4 (1).

This question does not arise in the case of a man, as a man does not acquire or lose Costa Rican nationality by marriage.

Law of Alienship and Naturalization, May 13, 1889; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Costa Rican carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship and Naturalization, May 13, 1889, art. 6; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

A foreign married woman may not be naturalized as a Costa Rican independently of her husband.

Law of Alienship and Naturalizatior, May 13, 1889, art. 6; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

The voluntary relinquishment or the loss of Costa Rican nationality by a Costa Rican man carries with it a corresponding change in the nationality of his wife, if she acquires her husband's new nationality by the law of his adopted country. A Costa Rican woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship and Naturalization, May 13, 1889, art. 6.

A Costa Rican married woman may relinquish Costa Rican nationality independently of her husband.

Law of Alienship and Naturalization, May 13, 1889, art. 4 (1); Information concerning the

administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Costa Rican carries with it a corresponding change in the nationality of a child under the paternal power.

Law of Alienship and Naturalization, May 13, 1889; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

The voluntary relinquishment or the loss of Costa Rican nationality by a Costa Rican man carries with it a corresponding change in the nationality of a child under the paternal power provided that the child acquires the father's new nationality according to the law of his adopted country. A child under twenty-one who has lost Costa Rican nationality in this way may regain Costa Rican nationality upon coming of age by claiming that nationality before the proper authorities at home or abroad, in the form prescribed by law. If such a child resides in Costa Rica and, upon coming of age, accepts public employment or serves in the national army or navy, it regains Costa Rican nationality without further formality.

Law of Alienship and Naturalization, May 13, 1889, art. 4 (1); Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Law of Alienship and Naturalization, May 13, 1889; Information concerning the administration of the law, furnished by Costa Rican Ministry for Foreign Affairs, San José, Aug. 21, 1929, through courtesy of United States Legation, San José.

CUBA (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child, wherever born, of Cuban parents or of a Cuban father has Cuban nationality.

Constit. Feb. 21, 1901, art. 5 (1).

A legitimate or legitimated child born in Cuba of foreign parents has Cuban nationality provided that the child registers as Cuban in the proper registry, upon reaching majority.

Constit. Feb. 21, 1901, art. 5 (2).

A legitimate or legitimated child born abroad of parents who were native Cubans but who have lost Cuban nationality, has Cuban nationality provided that the child registers as Cuban in the proper registry, upon reaching majority.

Constit. Feb. 21, 1901, art. 5 (3).

An illegitimate child, wherever born, of a Cuban father or mother, and legally recognized by the father or mother, has Cuban nationality, if the parent who first recognizes it is Cuban. When it is recognized simultaneously by both parents it has Cuban nationality only when the father is Cuban.

Constit. Feb. 21, 1901, art. 5 (1); Information concerning the administration of the law, furnished by Cuban Embassy, Washington, in letter dated Aug. 18, 1928, to Inter-American Commission of Women.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Cuban woman who marries a foreigner does not lose Cuban nationality as a result of the marriage, under any circumstances.

Civil Code, 1888-1889, art. 22, as amended by Law July 1, 1929.

A foreign woman who marries a Cuban man acquires Cuban nationality in all cases.

Civil Code, 1888-1889, art. 22, as amended by Law, July 1, 1929; Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

---

(1) The interpretation of the Cuban nationality law given in this synopsis was verified and approved by the Cuban Department of State, Havana, in a memorandum dated Mar. 25, 1930, addressed to the Inter-American Commission of Women. His Excellency, Señor Don M. Marquer Sterling, Ambassador from Cuba to the United States and designated as Minister of Foreign Affairs for Cuba, in a letter to the Inter-American Commission of Women, Nov. 2, 1933, wrote:

"...Upon examining said synopsis, this Embassy found it to be correct as there has been no new legislation on the nationality of women in Cuba, after the year 1930."

CUBA

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A foreign woman who has acquired Cuban nationality by marriage may relinquish that nationality upon the termination of the marriage, by reacquiring her former nationality or acquiring a new nationality.

Civil Code, 1888-1889, art. 20 (1).

This question does not arise in the case of a Cuban woman, as a Cuban woman does not lose Cuban nationality by marriage to a foreigner.

Civil Code, 1888-1889, art. 22, as amended by Law July 1, 1929.

This question does not arise in the case of a man, as a man does not acquire or lose Cuban nationality by marriage.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Cuban carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

A foreign married woman may not be naturalized as a Cuban independently of her husband.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

The voluntary relinquishment or the loss of Cuban nationality by a Cuban man does not carry with it a corresponding change in the nationality of his wife.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

C U B A

A Cuban married woman may not relinquish Cuban nationality independently of her husband.

Information concerning the administration of the law, furnished by Cuban Secretary of State, Havana, in memorandum dated Mar. 25, 1930, addressed to Inter-American Commission of Women.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Cuban carries with it a corresponding change in the nationality of his child who is under the paternal power.

Civil Code, 1888-1889, art. 18.

The voluntary relinquishment or the loss of Cuban nationality by a Cuban man carries with it a corresponding change in the nationality of his child who is under the parental power.

Civil Code, 1888-1889, art. 18.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Civil Code, 1888-1889, art. 18.

DOMINICAN REPUBLIC (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in the Dominican Republic has Dominican nationality, regardless of the nationality of the parents. This does not apply to the legitimate children of foreigners who are in the country as diplomatic representatives or as transients.

Constit., June 20, 1929, art. 8 (2).

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of Dominican parents has Dominican nationality if the child does not acquire foreign nationality by the law of the country of birth. In case the child acquires foreign nationality by the law of the country of birth, it has the right, upon reaching majority, to claim Dominican nationality by making a declaration in the form prescribed by law.

Constit., June 20, 1929, art. 8 (3); Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Dominican woman who marries a foreigner loses Dominican nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Constit., June 20, 1929, art. 8 (4).

A foreign woman who marries a Dominican man acquires Dominican nationality in all cases.

Civil Code, Apr. 17, 1884, art. 12.

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Dominican Ministry for

---

(1) The interpretation of the Dominican nationality law given in this synopsis was verified and approved by Dr. Frederico Henriquez Carvajal, former President of Dominican Supreme Court of Justice and former Dean and Professor of Law at National University, Santo Domingo. In a letter dated Nov. 15, 1929, Dr. Carvajal stated with regard to the synopsis:

"I have read and compared the five juridical topics relating to the nationality of women .... The statements are entirely in accord with the theory, and also with the spirit of the Law, the Code and the Constitution of the State."

Additional information concerning the Dominican nationality law was furnished in a memorandum prepared by the Dominican Foreign Office and forwarded by the United States Legation, Santo Domingo, Dec. 13, 1929. This information has been incorporated in the synopsis as here presented.

In a letter dated Oct. 20, 1933, to the Inter American Commission of Women, His Excellency, Señor Don Roberto Despradel, Minister from the Dominican Republic to the United States, former Minister of the Treasury, and distinguished Dominican jurist wrote:

"I have read very carefully the synopsis of the principal points of the Dominican Law on the nationality of women which you enclosed in the above mentioned letter, and have found it to be correct up to date."

Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Dominican nationality by marriage may regain that nationality upon the termination of the marriage, by establishing her residence in the Dominican Republic and making a declaration to the Secretary of State for the Interior and Police, in the form prescribed by law.

Law No. 1227, Dec. 4, 1929, art. 2, par. 3.

A foreign woman who has acquired Dominican nationality by marriage retains that nationality upon the termination of the marriage, as Dominican law does not, as a general rule, permit of the expatriation of Dominicans. However, if she enters into a new marriage with a man who is not a Dominican and takes her husband's nationality as a result of the marriage, she ceases to have Dominican nationality.

Constit., June 20, 1929, art. 8 (4); Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

This question does not arise in the case of a man, as a man does not acquire or lose Dominican nationality by marriage.

Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Dominican carries with it a corresponding change in the nationality of his wife at the time of the husband's naturalization, provided that the wife requests naturalization also. After the husband has been naturalized his wife may then be naturalized without fulfilling any naturalization requirements, provided that her naturalization is authorized by her husband. Otherwise she remains a foreigner. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law No. 1227, Dec. 4, 1929, art. 2; Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

A foreign married woman may not be naturalized as a Dominican independently of her husband.

Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929,

through courtesy of United States Legation, San Domingo.

The naturalization requirements are reduced for a foreign man who marries a Dominican woman. This question does not arise in the case of a foreign woman who marries a Dominican man as she has no independent choice of nationality through her own naturalization but is compelled to take her husband's nationality upon marriage, in all cases.

Law No. 1227, Dec. 4, 1929, art. 1 (c); Civil Code, Apr. 17, 1884, art. 12.

The Dominican law does not recognize expatriation and the question does not arise, therefore, as to the effect of the relinquishing of nationality by one party to the marriage upon the nationality of the other party.

Constit., June 20, 1929, art. 8 (4); Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Dominican carries with it a corresponding change in the nationality of his unmarried child under eighteen years of age. This applies to a legitimate, or legitimated, or a legally recognized illegitimate child. A child who has acquired Dominican nationality in this way has the right to renounce Dominican nationality, in the form prescribed by law, within a year after attaining majority.

Law No. 1227, Dec. 4, 1929, art. 3; Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage, excepting when she has the custody of the child. After the death of the father, she has the same rights in this matter as were possessed by the father during his lifetime.

Law No. 1227, Dec. 4, 1929, art. 3; Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

Since the Dominican law does not recognize expatriation, the question does not arise as to the effect upon the nationality of the child of the relinquishment of Dominican nationality by the parents.

Constit., June 20, 1929, art. 8 (4); Information concerning the administration of the law, furnished by Dominican Ministry for Foreign Affairs, Santo Domingo, Dec. 13, 1929, through courtesy of United States Legation, San Domingo.

(1)

E C U A D O R

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Ecuador, has Ecuadoran nationality, regardless of the nationality of the parents.

Constit. March 26, 1929, art. 7.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a father or mother who is Ecuadoran by birth, has Ecuadoran nationality if either of the parents is in the service of the Republic or has emigrated for certain reasons specified in the Constitution.

Constit. March 26, 1929, art. 8 (1); Civil Code, Nov. 21, 1857, arts. 208, 268, 273; Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a father or mother who is Ecuadoran by birth, has Ecuadoran nationality if the child later resides in Ecuador or expresses a desire to have Ecuadoran nationality, in the form prescribed by law.

Constit. March 26, 1929, art. 8 (2); Civil Code, Nov. 21, 1857, arts. 208, 268, 273; Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

An Ecuadoran woman who marries a foreigner loses Ecuadoran nationality if she acquires her husband's nationality by the marriage, according to the law of his country, and if she leaves Ecuador permanently.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925, arts. 73, 74,

---

(1) The interpretation of the Ecuadoran nationality law given in this synopsis was verified and approved by the Ecuadoran Foreign Office, Apr. 1930. A memorandum from the Foreign Office, signed by Dr. G. Zaldumbide, which was forwarded by the United States Legation, Quito, Apr. 2, 1930, stated with regard to the synopsis:

> "In general, the compilation corresponds to the letter and the spirit of our Constitution and laws; even those paragraphs or parts of the compilation which deal with cases not foreseen in any written provision of the law, are incontrovertible deductions from the context of such provisions, and from the commonly accepted principles of international law."

In a letter to the Inter American Commission of Women, Oct. 28, 1933, the United States Legation, Quito, wrote:

> "I take pleasure in informing you that the synopsis, which is returned herewith, has been submitted to the Foreign Office in accordance with your request, and that it appears to be substantially correct as it stands."

In a letter to the Inter American Commission of Women, Nov. 3, 1933, His Excellency, Captain Don C. E. Alfaro, Minister from Ecuador to the United States, wrote:

> "I have examined the data relative to the position of Ecuadoran women as stated in the memorandum attached to your letter of the 1st...In returning to you the memorandum in question I am happy to state that I find all the data compiled on these topics correct."

E C U A D O R

A foreign woman who marries an Ecuadoran man acquires Ecuadoran nationality unless she expresses a desire to the contrary, in the form prescribed by law.

Constit. Mar. 26, 1929, art. 9 (4); Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

Marriage does not change the nationality of a man, under any circumstances.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925; Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Ecuadoran nationality by marriage may regain that nationality upon the death of her husband by declaring her desire to do so before an Ecuadoran diplomatic or consular agent.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925, art. 75.

A foreign woman who has acquired Ecuadoran nationality by marriage may relinquish that nationality by expressing a desire to do so, in the form prescribed by law, even while the marriage relation continues.

Constit. March 26, 1929, art. 9 (4); Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

This question does not arise in the case of a man, as a man does not acquire or lose Ecuadoran nationality by marriage.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925; Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as an Ecuadoran carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925, art. 71; Information concerning the administration of the law,

E C U A D O R

furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

A foreign married woman may not be naturalized as an Ecuadoran without the authorization of her husband. If the husband's authorization is given she may be naturalized as an Ecuadoran regardless of whether her husband is naturalized.

Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, Sept. 23, 1929, through courtesy of United States Legation, Quito.

The voluntary relinquishment or the loss of Ecuadoran nationality by an Ecuadoran man carries with it a corresponding change in the nationality of his wife if she acquires her husband's new nationality by the law of his adopted country, and if she leaves Ecuador. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Constit. March 26, 1929, art. 10 (1); Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925, arts. 73, 74.

An Ecuadoran married woman may not relinquish Ecuadoran nationality without the authorization of her husband. If her husband gives his authorization she may relinquish Ecuadoran nationality regardless of whether her husband relinquishes it.

Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, Sept. 23, 1929, through courtesy of United States Legation, Quito.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as an Ecuadoran carries with it a corresponding change in the nationality of a minor child under the paternal power but such a child has the right to renounce Ecuadoran nationality upon reaching majority.

Constit. March 26, 1929, art. 9 (3); Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

The voluntary relinquishment or the loss of Ecuadoran nationality by an Ecuadoran man carries with it a corresponding change in the nationality of a minor child under the paternal power provided that such a child acquires the father's new nationality by the law of his adopted country.

Constit. March 26, 1929, Art. 10 (1); Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

E C U A D O R

A mother is unable to change the nationality of her child during the continuance of the marriage.

Law of Alienship, Oct. 18, 1921, amended Sept. 23, 1925; Information concerning the administration of the law, furnished by Ecuadoran Ministry for Foreign Relations, Quito, March 31, 1930, through courtesy of United States Legation, Quito.

GUATEMALA (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Guatemala has Guatemalan nationality, regardless of the nationality of the parents, excepting when the parents are diplomatic agents.

Constit. Dec. 11, 1879, amended 1927, art. 5 (1).

A legitimate child born in a foreign country of a Guatemalan father has Guatemalan nationality from the time that the child's residence is established in Guatemala. Such a child has Guatemalan nationality even without residence in Guatemala if, by the law of the place of birth it has Guatemalan nationality or has the right to choose Guatemalan nationality, and it chooses that nationality within the year following coming of age or emancipation, by a declaration made in the form prescribed by law.

Constit. Dec. 11, 1879, art. 5 (2); Nationality Law, May 5, 1894, art. 6.

An illegitimate child born in a foreign country of a Guatemalan father and legally recognized by the father has Guatemalan nationality under the same circumstances as would a legitimate child.

Constit. Dec. 11, 1879, art. 5 (2); Nationality Law, May 5, 1894, art. 6; Civil Code, May 21, 1933, art. 170.

A legitimate child born in a foreign country of a Guatemalan mother and a foreign father does not have Guatemalan nationality.

Nationality Law, May 5, 1894, art. 1.

An illegitimate child, legally recognized by a Guatemalan mother and born in a foreign country has Guatemalan nationality from the time that the child's residence is established in Guatemala. Such a child has Guatemalan nationality even without residence in Guatemala, if, by the law of the place of birth, it has Guatemalan nationality or has the right to choose Guatemalan nationality, and it chooses that nationality within the year following coming of age or emancipation, by a declaration made in the form prescribed by law.

Constit. Dec. 11, 1879, art. 5 (2); Civil Code, May 21, 1933, art. 170; Nationality Law, May 5, 1894, art. 6.

---

(1) The interpretation of the Guatemalan nationality law given in this synopsis was verified and approved by His Excellency, Dr. José Matos, former Minister of Foreign Affairs and Member from Guatemala of the Institut de Droit International, Oct. 7, 1929. Dr. Matos wrote with regard to the synopsis:

"I have examined this summary with great interest and find it perfectly formulated, and in accord with the laws in force in my country. I have nothing to add to it."

Since the receipt of this letter, Guatemala has adopted a new Civil Code (May 21, 1933), which contains several provisions relating to the nationality of women. The present synopsis includes these changes in the Civil Code, and the interpretation here given to these provisions of the new Code was approved by the Guatemalan Legation in Washington, in a memorandum dated Sept. 8, 1933, signed by His Excellency, Dr. Adrián Recinos, Minister from Guatemala to the United States.

G U A T E M A L A

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Guatemalan woman who marries a foreigner loses Guatemalan nationality by the marriage excepting when she expressly states in the marriage papers her desire to keep Guatemalan nationality.

Civil Code, May 21, 1933, art. 97.

A foreign woman who marries a Guatemalan man acquires Guatemalan nationality excepting when she expressly states in the marriage papers her desire to keep her own nationality.

Civil Code, May 21, 1933, art. 97; Information concerning the administration of the law, furnished by Guatemalan Legation, Washington, in letter dated Sept. 8, 1933, to Inter-American Commission of Women.

Marriage does not change the nationality of a man, under any circumstances.

Civil Code, May 21, 1933, art. 97; Information concerning the administration of the law, furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Guatemalan nationality by marriage automatically regains that nationality upon the termination of the marriage if she lives in Guatemala. When she does not live in Guatemala she may recover it by making the proper declaration before the Guatemalan counsul or diplomatic officer of her place of residence.

Civil Code, May 21, 1933, art. 98.

A foreign woman who has acquired Guatemalan nationality by marriage may relinquish that nationality upon the termination of the marriage, by reacquiring her former nationality or acquiring another nationality.

Nationality Law, May 5, 1894, art. 4; Information concerning the administration of the law furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

This question does not arise in the case of a man, as a man does not acquire or lose Guatemalan nationality by marriage.

Civil Code, May 21, 1933, art. 97; Information concerning the administration of the law, furnished by Dr. José Matos in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

4. Changes in Nationality after Marriage

There is no distinction in the law between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as

follows:

The naturalization of a foreign man or woman as a Guatemalan does not carry with it a corresponding change in the nationality of the wife or husband.

Nationality Law, May 5, 1894, arts. 86, 88.

A foreign married man or woman may be naturalized as a Guatemalan independently of the other party to the marriage and upon the same terms.

Nationality Law, May 5, 1894, art. 88; Decree No. 867, July 11, 1924; Information concerning the administration of the law, furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

The voluntary relinquishment or the loss of Guatemalan nationality by a Guatemalan man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Nationality Law, May 5, 1894; Information concerning the administration of the law furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

A Guatemalan married man or woman may relinquish Guatemalan nationality independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Guatemalan does not carry with it a corresponding change in the nationality of a minor child.

Nationality Law, May 5, 1894; Information concerning the administration of the law, furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

The voluntary relinquishment or the loss of Guatemalan nationality by a Guatemalan man or woman does not carry with it a corresponding change in the nationality of a minor child.

Nationality Law, May 5, 1894; Information concerning the administration of the law, furnished by Dr. José Matos, in letter dated Oct. 7, 1929, to Inter-American Commission of Women.

H A I T I [1]

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child, wherever born, of a Haitian father, has Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 2 (1).

An illegitimate child, wherever born, of a Haitian father and legally recognized by the father has Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 2 (2).

An illegitimate child, wherever born, of a Haitian mother and not legally recognized by the father, has Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 2 (2).

A legitimate or legally recognized illegitimate child born in Haiti of a foreign father has Haitian nationality, if the child is of African decent.

Nationality Law, Aug. 22, 1907, art. 2 (3); Information concerning the administration of the law, furnished by Haitian Ministry for Foreign Affairs, Port-au-Prince, Mar. 17, 1930, through courtesy of United States Legation, Port-au-Prince.

An illegitimate child born in Haiti of a foreign mother and not legally recognized by the father, has Haitian nationality if the child is of African descent. Haitian nationality acquired in this way may not be changed through the subsequent recognition of the child by a foreign father.

Nationality Law, Aug. 22, 1907, art. 2 (3).

A child born in Haiti of unknown parents or of parents of unknown nationality, has Haitian nationality on the strength of a declaration of birth made before the recorder of births. However, such a child ceases to have Haitian nationality if it is legally recognized before majority by the father and mother, or by one of them, and it is established that the parents are foreigners and that neither of them is descended from the African race.

Nationality Law, Aug. 22, 1907, art. 3.

---

(1) The interpretation of the Haitian nationality law given in this synopsis was verified and approved by the Haitian Foreign Office, Port-au-Prince, Mar. 1930. A letter from the United States Legation, Port-au-Prince, dated Mar. 17, 1930, stated with regard to the synopsis:

"The Minister for Foreign Affairs informed the Legation that the statements.... regarding (1) The acquiring of nationality through birth; (2) The effect of marriage upon nationality; (3) The regaining of nationality lost by marriage; (4) The effect of marriage to a native upon naturalization requirements; (5) The effect of change of nationality by husband or wife; (6) The effect of change of nationality by parents; (7) The effect of parentage on nationality; and (8) The dates of the codes and nationality laws at present in force, are all correct."

The synopsis has also been verified and approved by His Excellency, Dr. Dantes Bellegarde, Minister from Haiti to the United States, and Member from Haiti of the American Institute of International Law. In a letter dated Aug. 30, 1933, Dr. Bellegarde wrote:

"I have examined the summary which you have submitted and I think that it presents with exactitude the essential provisions of the Haitian nationality law."

HAITI

A legitimate or a legally recognized illegitimate child born in Haiti of a foreign father and mother who are not of African descent receives Haitian nationality upon coming of age, provided that the child makes a declaration before the proper official, in the year of reaching majority, renouncing any foreign nationality and adopting Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 4; Information concerning the administration of the law, furnished by Haitian Ministry for Foreign Affairs, Port-au-Prince, Mar. 17, 1930, through courtesy of United States Legation, Port-au-Prince.

A legitimate or a legally recognized illegitimate child born in Haiti of a foreign father and mother who were themselves born in Haiti and are not of African descent, receives Haitian nationality upon coming of age, provided that the child makes a declaration before the proper official, in the year of reaching majority, renouncing any foreign nationality and adopting Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 4; Information concerning the administration of the law, furnished by Haitian Ministry for Foreign Affairs, Port-au-Prince, Mar. 17, 1930, through courtesy of United States Legation, Port-au-Prince.

An illegitimate child, not legally recognized by the father, and born in Haiti of a foreign mother who is not of African descent, receives Haitian nationality upon coming of age, provided that the child makes a declaration before the proper official, in the year of reaching majority, renouncing any foreign nationality and adopting Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 4.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Haitian woman who marries a foreigner loses Haitian nationality in all cases, even though she does not acquire her husband's nationality by the marriage, according to the law of his country.

Nationality Law, Aug. 22, 1907, art. 9.

A foreign woman who marries a Haitian man acquires Haitian nationality in all cases.

Nationality Law, Aug. 22, 1907, art. 9.

Marriage does not change the nationality of a man, under any circumstances.

Nationality Law, Aug. 22, 1907.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Haitian nationality by marriage may regain that nationality during the duration of the marriage by being naturalized

in the same way as required of any foreigner. Upon the termination of the marriage, she may regain Haitian nationality by filing a declaration with the proper official renouncing her foreign nationality and expressing the desire to recover her former Haitian nationality.

Nationality Law, Aug. 22, 1907, art. 10, 11.

A foreign woman who has acquired Haitian nationality by marriage may relinquish that nationality upon termination of the marriage, by reacquiring her former nationality or acquiring another nationality, and leaving Haiti.

Nationality Law, Aug. 22, 1907, arts. 17, 21.

This question does not arise in the case of a man, as a man does not acquire or lose Haitian nationality by marriage.

Nationality Law, Aug. 22, 1907.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Haitian carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Nationality Law, Aug. 22, 1907, arts. 12, 14.

A foreign married woman may not be naturalized as a Haitian independently of her husband, excepting when she had Haitian nationality prior to her marriage and lost that nationality by marriage to a foreigner.

Nationality Law, Aug. 22, 1907, art. 10; Information furnished by Haitian Legation, Washington, in letter dated Jan. 6, 1929, to Inter-American Commission of Women.

The naturalization requirements are reduced for a foreign man who marries a Haitian woman. This question does not arise in the case of a foreign woman who marries a Haitian man as she has no independent choice of nationality through her own naturalization but is compelled to take her husband's nationality upon marriage, in all cases.

Nationality Law, Aug. 22, 1907, arts. 6, 9.

The voluntary relinquishment of Haitian nationality by a Haitian man does not carry with it a corresponding change in the nationality of his wife.

Nationality Law, Aug. 22, 1907, art. 15.

A Haitian married woman may not relinquish Haitian nationality independently of her husband.

Information furnished by Haitian Legation, Washington, in letter dated Jan. 6, 1929, to Inter-American Commission of Women.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main

HAITI

points of the law are as follows:

The naturalization of a foreign man as a Haitian does not carry with it a corresponding change in the nationality of his child. A child who is of age and was born out of Haiti may, however, be given Haitian nationality, if the child applies for it, without fulfillment of the usual residence requirements, either through the President's order naturalizing the father or through the filing with the proper authority, by the child, of a declaration renouncing the foreign nationality and assuming Haitian nationality. A child under age at the time of the father's naturalization, and who was born out of Haiti, may acquire Haitian nationality upon coming of age by filing a similar declaration.

Nationality Law, Aug. 22, 1907, arts. 4, 12.

The voluntary relinquishment of Haitian nationality by a Haitian man does not carry with it a corresponding change in the nationality of his child.

Nationality Law, Aug. 22, 1907, art. 15.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Nationality Law, Aug. 22, 1907, arts. 12, 15; Information concerning the administration of the law, furnished by Haitian Ministry for Foreign Affairs, Port-au-Prince, Mar. 17, 1930, through courtesy of United States Legation, Port-au-Prince.

HONDURAS (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child born in Honduras of Honduran parents is a native Honduran.

Constit. Sept. 10, 1924, art. 7 (1).

A legitimate or legitimated child born in Honduras of foreign parents domiciled in Honduras is a native Honduran.

Constit. Sept. 10, 1924, art. 7 (2).

A legitimate or legitimated child born in Honduras of foreign parents who were themselves born in Honduras is a native Honduran.

Constit. Sept. 10, 1924, art. 7 (3).

A legitimate or legitimated child born in a foreign country of Honduran parents is a native Honduran, provided that the child elects Honduran nationality within a year after reaching majority.

Constit. Sept. 10, 1924, art. 7 (2); Law of Alienship, Feb. 4, 1926, art. 1 (2).

A legitimate or legitimated child, wherever born, of a foreign father and a mother who was Honduran before her marriage, is a native Honduran when the father dies before the birth of the child and the mother regains Honduran nationality before the birth of the child. In case such a child is born in a foreign country, it must elect Honduran nationality, in the form prescribed by law, within a year after reaching majority, in order to retain Honduran nationality.

Constit. Sept. 10, 1924, art. 7 (2); Law of Alienship, Feb. 4, 1926, art. 1 (2); Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

---

(1) The interpretation of the Honduran nationality law given in this synopsis was verified and approved, with certain additions, by the Supreme Court of Honduras, Tegucigalpa, Dec. 1929, through courtesy of the United States Legation, Honduras. A memorandum from the Supreme Court of Honduras, Dec. 17, 1929, signed by Dr. C. Lainez, stated, in approving the synopsis:

"As a result of the study which has been made, the Supreme Tribunal feels that the conclusions reached concerning the legal principles applicable in each case are correct, almost in their entirety. The Court permits itself, however, to make the following observations." (The observations referred to have been incorporated in the synopsis as here presented.)

In a letter to the Inter-American Commission of Women, Oct. 17, 1933, His Excellency, Dr. Don Miguel Paz Baraona, Minister from Honduras to the United States and former President of the Honduran Republic and of the Honduran Congress, wrote:

"The synopsis which you have sent me relative to the legal provisions which regulate the nationality of the Honduran woman, is correct as none of the articles of the Political Constitution of 1924 and of the Civil Code of 1906, which you mention and which are in force, have been repealed or amended to date. The same is the case with regard to article 1 (2) of the Law of Alienship, decreed Feb. 4, 1926, to which you allude."

HONDURAS

An illegitimate child born in Honduras and legally recognized by a Honduran father or mother, has Honduran nationality. An illegitimate child born in a foreign country and legally recognized by a Honduran father or mother has Honduran nationality provided that the child elects Honduran nationality, in the form prescribed by law, within a year after reaching majority. When the parents are of different nationalities and both legally recognize the child, it has Honduran nationality if the parent who first recognizes it is Honduran. When both recognize it simultaneously, it has Honduran nationality if the father is Honduran.

Constit. Sept. 10, 1924, art. 7; Law of Alienship, Feb. 4, 1926, art. 1; Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Honduran woman who marries a foreigner loses Honduran nationality in all cases, even though she does not acquire her husband's nationality by the marriage, according to the law of his country.

Civil Code, Feb. 8, 1906, art. 48; Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

A foreign woman who marries a Honduran man acquires Honduran nationality in all cases.

Civil Code, Feb. 8, 1906, art. 48; Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

Marriage does not change the nationality of a man, under any circumstances.

Civil Code, Feb. 8, 1906, art. 48.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage.

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Honduran nationality by marriage may regain that nationality upon the termination of the marriage, by complying with all the requirements for the naturalization of foreigners.

Constit. Sept. 10, 1924, art. 9.

A foreign woman who has acquired Honduran nationality by marriage may relinquish that nationality upon termination of the marriage, provided that she becomes naturalized in another country and removes her residence from Honduras.

Law of Alienship, Feb. 4, 1926, art. 1 (6); Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

HONDURAS

This question does not arise in the case of a man, as a man does not acquire or lose Honduran nationality by marriage.

Civil Code, Feb. 8, 1906, art. 48.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Honduran carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Civil Code, Feb. 8, 1906, art. 48.

A foreign married woman may not be naturalized as a Honduran independently of her husband.

Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

The voluntary relinquishment or the loss of Honduran nationality by a Honduran man carries with it a corresponding change in the nationality of his wife. A Honduran woman has no similar power to change the nationality of her husband by any independent action on her part.

Civil Code, Feb. 8, 1906, art. 48.

A Honduran married woman may not relinquish Honduran nationality independently of her husband.

Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Honduran carries with it a corresponding change in the nationality of a child under the paternal power.

Civil Code, Feb. 8, 1906, art. 47; Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

The voluntary relinquishment or the loss of Honduran nationality by a Honduran man carries with it a corresponding change in the nationality of a child under the paternal power.

Civil Code, Feb. 8, 1906, art. 47; Information concerning the administration of the law, furnished by Supreme Court of Honduras, Tegucigalpa, Dec. 9, 1929, through courtesy of United States Legation, Tegucigalpa.

HONDURAS

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Civil Code, Feb. 8, 1906, art. 47.

MEXICO (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child, wherever born, of Mexican father has Mexican nationality, provided that when the child is born out of Mexico the father is Mexican by birth.

Constit. Jan. 31, 1917, art. 30 (1).

An illegitimate child of a Mexican father, legally recognized by the father alone, or by the father at the same time that it is so recognized by the mother, takes the father's nationality under the same conditions as does a legitimate child, provided that there is no objection on the part of the mother to the recognition by the father. The recognition by the father may be annulled by the mother and upon such annulment the child takes the nationality of the mother.

Law of Alienship, May 28, 1886, art. 1 (1); Civil Code, Aug. 30, 1928, art. 379; Law on Family Relations, Apr. 9, 1917, art. 202; Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

A legitimate or legitimated child born in Mexico of a foreign father has Mexican nationality if within one year after coming of age it declares its election of Mexican nationality before the Department of Foreign Affairs and proves residence in the country during the six years immediately prior to this declaration.

Constit. Jan. 31, 1917, art. 30 (1).

A child born in Mexico of unknown parents or of parents of unknown nationality, has Mexican nationality.

Law of Alienship, May 28, 1886, art. 1 (2).

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Mexican woman who marries a foreigner loses Mexican nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Law of Alienship, May 28, 1886, art. 2 (4).

A foreign woman who marries a Mexican man acquires Mexican nationality

---

(1) The interpretation of the Mexican nationality law given in this synopsis was verified and approved by the Mexican Ministry for Foreign Affairs, Mexico City, Oct. 28, 1933, in a letter transmitted by the Mexican Embassy, Washington, Nov. 14, 1933. The Ministry for Foreign Affairs wrote with regard to the synopsis:
"The outline of the Mexican laws on the nationality of women, made by the Committee of the Inter American Commission of Women, is correct."

in all cases.

Law of Alienship, May 28, 1886, art. 1 (6).

Marriage does not change the nationality of a man, under any circumstances.

Law of Alienship, May 28, 1886; Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Mexican nationality by marriage may regain that nationality upon the termination of the marriage, by establishing her residence in Mexico and declaring before the proper authorities of her place of domicile, her desire to recover Mexican nationality.

Law of Alienship, May 28, 1886, art. 2 (4).

A foreign woman who has acquired Mexican nationality by marriage retains that nationality after the termination of marriage unless she reacquires her former nationality or acquires another nationality. In these cases she loses Mexican nationality in accordance with the general principle of Mexican law with regard to expatriation.

Constit. Jan. 31, 1917, art. 37; Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 28, 1933, through courtesy of Mexican Embassy, Washington.

This question does not arise in the case of a man, as a man does not acquire or lose Mexican nationality by marriage.

Law of Alienship, May 28, 1886; Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Mexican carries with it a corresponding change in the nationality of his wife, provided that she resides in Mexico. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, May 28, 1886, art. 2 (4).

A foreign married woman may not be naturalized as a Mexican independently of her husband when the law of her husband's country attributes the husband's nationality to the wife. However, if the law of the husband's country permits her to have a nationality of her own independently of her husband, she may then be naturalized as a Mexican while her husband remains a foreigner.

Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

MEXICO

The voluntary relinquishment or the loss of Mexican nationality by a Mexican man carries with it a corresponding change in the nationality of his wife, if she acquires her husband's new nationality by the law of his adopted country and if she resides in that country. A Mexican woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, May 28, 1886, art. 2 (4).

A Mexican married woman may not relinquish Mexican nationality while her husband remains a Mexican.

Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Mexican carries with it a corresponding change in the nationality of his minor child, provided that the child resides in Mexico.

Law of Alienship, May 28, 1886, art. 2 (4).

The voluntary relinquishment or the loss of Mexican nationality by a Mexican man carries with it a corresponding change in the nationality of his minor child, provided that the child resides in the father's adopted country.

Law of Alienship, May 28, 1886, art. 2 (4).

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Law of Alienship, May 28, 1886; Information concerning the administration of the law, furnished by Mexican Ministry for Foreign Affairs, Mexico City, Oct. 16, 1929, through courtesy of United States Embassy, Mexico City.

N I C A R A G U A [1]

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Nicaragua of Nicaraguan parents or of a Nicaraguan father or mother, or of foreign parents domociled in Nicaragua, has Nicaraguan nationality.

Constit. Nov. 10, 1911, art. 8 (1); Information concerning the administration of the law, furnished by Nicaraguan Ministry for Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Nicaraguan father or mother has Nicaraguan nationality if the child chooses that nationality in the form prescribed by law.

Constit. Nov. 10, 1911, art. 8 (2); Civil Code, Feb. 1, 1904, arts. 221, 243; Information concerning the administration of the law, furnished by Nicaraguan Ministry for Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Nicaraguan woman who marries a foreigner loses Nicaraguan nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Constit. Nov. 10, 1911, art, 10 (2).

A foreign woman who marries a Nicaraguan man acquires Nicaraguan nationality in all cases.

Constit. Nov. 10, 1911, art. 9 (2).

Marriage does not change the nationality of a man, under any circumstances.

Constit. Nov, 10, 1911, arts. 9, 10.

---

(1) The interpretation of the Nicaraguan nationality law given in this synopsis was verified and approved by the Nicaraguan Minister of Foreign Affairs, Dr. Manuel Cordero Reyes, Managua, who attached his signature and official seal to the verification, Mar. 14, 1930. On Sept. 6, 1933, the Nicaraguan Legation in Washington transmitted the following letter from the Nicaraguan Ministry of Foreign Affairs with regard to the nationality of women in Nicaragua:

"No legislation has been passed in Nicaragua subsequent to 1930 on this subject. You may also advise them that the Law of Alienship at present in force is that of October 3, 1894; that the Constitution governing the Republic is the one promulgated on November 10, 1911; and, furthermore, that neither one has been modified in any way in respect to the nationality of women."

N I C A R A G U A

3. Regaining Nationality Lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Nicaraguan nationality by marriage automatically regains Nicaraguan nationality upon the death of her husband if she loses her husband's nationality as a result of his death, according to the law of his country. A woman who is a Nicaraguan by birth may regain Nicaraguan nationality, if she so desires, upon the death of her husband, by continuing to reside in Nicaragua or returning there.

Constit. Nov. 10, 1911, art. 10 (2); Law of Alienship, Oct. 3, 1894, art. 2.

A foreign woman who has acquired Nicaraguan nationality by marriage may relinquish that nationality upon the termination of the marriage, by reacquiring her former nationality or acquiring another nationality, provided that she leaves Nicaragua.

Constit. Nov. 10, 1911, art. 10 (1).

This question does not arise in the case of a man, as a man does not acquire or lose Nicaraguan nationality by marriage.

Constit. Nov. 10, 1911, arts. 9, 10.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Nicaraguan carries with it a corresponding change in the nationality of his wife provided that she resides in Nicaragua. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, Oct. 3, 1894, art. 2; Information concerning the administration of the law, furnished by Nicaraguan Ministry for Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

A foreign married woman may not be naturalized as a Nicaraguan independently of her husband.

Information concerning the administration of the law, furnished by Nicaraguan Ministry for Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

The voluntary relinquishment or the loss of Nicaraguan nationality by a Nicaraguan man carries with it a corresponding change in the nationality of his wife if she acquires her husband's new nationality by the law of his adopted country, and if she resides in that country. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, Oct. 3, 1894, art. 2.

A Nicaraguan married woman may not relinquish Nicaraguan nationality independently of her husband.

Information concerning the administration of the law, furnished by Nicaraguan Ministry for

N I C A R A G U A

Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Nicaraguan carries with it a corresponding change in the nationality of his minor child, or a child under the paternal power, provided that the child resides in Nicaragua.

Law of Alienship, Oct. 3, 1894, art. 2.

The voluntary relinquishment or the loss of Nicaraguan nationality by a Nicaraguan man carries with it a corresponding change in the nationality of his minor child, or a child under the paternal power, provided that the child resides in the father's adopted country.

Law of Alienship, Oct. 3, 1894, art. 2.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Law of Alienship, Sept. 8, 1894; Information concerning the administration of the law, furnished by Nicaraguan Ministry for Foreign Affairs, Managua, Mar. 14, 1930, in memorandum addressed to Inter-American Commission of Women.

(1)

PANAMA

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child born in Panama after October 1928, of Panamanian parents, or of a Panamanian father or mother, has Panamanian nationality.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 6; Civil Code, Oct. 1, 1917, art. 167; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

Every person born in Panama before October 1928, whether legitimate or illegitimate, and regardless of the nationality of the parents, was of Panamanian nationality by birth.

Constit. Feb. 15, 1904, art. 6, (prior to 1928 amendment).

A legitimate or legitimated child born in a foreign country of Panamanian parents who are Panamanian by birth, or of a Panamanian father or mother who is Panamanian by birth, has Panamanian nationality if the child becomes domiciled in Panama and expresses the desire for Panamanian nationality, in the form prescribed by law.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 6; Civil Code, Oct. 1, 1917, arts. 39 (2), 167, Administrative Code, Aug. 22, 1916, art. 122 (2); Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

A legitimate or legitimated child born in Panama of foreign parents is regarded as having Panamanian nationality by birth provided that within the year following its majority the child makes a declaration of choice of Panamanian nationality, in the form prescribed by law, and proves a

---

(1) The interpretation of the Panamanian nationality law given in this synopsis was verified and approved by the Panamanian Ministry of Foreign Relations, Aug. 1929. A letter from the Foreign Office, signed by Dr. Ricardo A. Morales and dated Aug. 31, 1929, stated:

"I have examined the document which contains the conclusions reached by the Inter-American Commission of Women, Washington, regarding the laws which regulate the nationality of Panamanian women and I am glad to inform them that these are in conformity with the provisions in our National Constitution and with the different supplementary provisions of the Civil and Administrative Codes of Panama."

In a letter to the Inter-American Commission of Women, Oct. 26, 1933, His Excellency, Sr. Don R. J. Alfaro, Minister from Panama to the United States and Professor of Civil Law in the National School of Law, Panama, wrote:

"...The data contained in your synopsis are found to be entirely in conformity with the laws of Panama and contain all the constitutional and legal provisions regulating the matter up to the year 1930. No changes in the Constitution or the laws have taken place after that date on the subject of nationality and nationalization and consequently you may be certain that your synopsis is entirely correct."

residence in Panama during the six years preceding the declaration. A child who has not resided in Panama during the required six years may be naturalized as a Panamanian upon making a declaration of choice of Panamanian nationality, in the form prescribed by law.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 6; Civil Code, Oct. 1, 1917, art. 167; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

An illegitimate child whose relationship to the father or mother is established according to the forms prescribed by law, has Panamanian nationality in the cases in which a legitimate child would have such nationality.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 6; Civil Code, Oct. 1, 1917, art. 215; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Panamanian woman who marries a foreigner does not lose Panamanian nationality as a result of the marriage, under any circumstances.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 7; Resolution No. 23 of Bureau of Foreign Relations, in case of N. Rhodes, Oct. 29, 1930; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

A foreign woman who marries a Panamanian man does not acquire Panamanian nationality as a result of the marriage, under any circumstances.

Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

Marriage does not change the nationality of a man under any circumstances.

Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

This question does not arise in Panama as nationality is not acquired or lost in this country by either a man or woman because of marriage.

(See preceding paragraph).

PANAMA

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Panamanian carries with it a corresponding change in the nationality of his wife. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Administrative Code, Aug. 22, 1916, art. 168; Naturalization Law No. 26, Oct. 28, 1930, art. 10.

A foreign married woman may not be naturalized as a Panamanian independently of her husband. The husband must obtain a naturalization certificate in Panama for himself in order to enable his wife to be naturalized.

Administrative Code, Aug. 22, 1916, art. 168; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

The residence requirements for the naturalization of foreigners are reduced for a foreign man who marries a Panamanian woman but not for a foreign woman who marries a Panamanian man.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 6 (b).

The voluntary relinquishment or the loss of Panamanian nationality by a Panamanian man carries with it a corresponding change in the nationality of his wife if she acquires her husband's new nationality by the law of his adopted country and establishes her domicile in that country. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 7 (1); Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

A Panamanian married woman may not relinquish Panamanian nationality while her husband remains a Panamanian.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 7; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Panamanian carries with it a corresponding change in the nationality of a child under twenty-one who resides in Panama at the time of the father's naturalization. Such a child is not considered a Panamanian after coming of age, however, unless a declaration is made, in the form prescribed by law, of desire to take

PANAMA

Panamanian nationality.

Naturalization Law No. 26, Oct. 28, 1930, art. 10.

The voluntary relinquishment or the loss of Panamanian nationality by a Panamanian man carries with it a corresponding change in the nationality of a child under twenty-one provided that the child acquires the father's new nationality by the law of the father's adopted country and is domiciled in that country.

Constit. Feb. 15, 1904, as amended by Legislative Acts of Jan. 11, 1927, and Oct. 19, 1928, art. 7 (1); Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Administrative Code, Aug. 22, 1916, art. 168; Information concerning the administration of the law, furnished by Panamanian Foreign Office, Panama, Sept. 13, 1929, through courtesy of United States Legation, Panama.

(1)

PARAGUAY

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate, or legitimated, or legally recognized illegitimate child, born in Paraguay, has Paraguayan nationality regardless of the nationality of the parents.

Constit. Nov. 24, 1870, art. 35 (1); Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Paraguayan father or mother has Paraguayan nationality, provided that the child establishes its residence in Paraguay.

Constit. Nov. 24, 1870, art. 35 (2); Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Paraguayan parent actually in the service of his country at the time, has Paraguayan nationality even for those purposes for which, under the constitution and laws, birth in Paraguay is required.

Constit. Nov. 24, 1870, art. 35 (3).

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Paraguayan woman who marries a foreigner does not lose Paraguayan nationality as a result of the marriage, under any circumstances.

Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

---

(1) The interpretation of the Paraguayan nationality law given in this synopsis was verified and approved by the Juridical Assessor of the Ministry for Foreign Affairs of the Government of Paraguay, Asunción, through courtesy of the United States Legation, Asunción, Oct. 25, 1929. A memorandum on the subject was also prepared by the Juridical Assessor, giving additional information on the subject and this information has been incorporated in the synopsis as here presented.

In a letter to the Inter American Commission of Women, Oct. 27, 1933, His Excellency Sr. Don Enrique Bordenave, Minister from Paraguay to the United States and former Professor of International Law at the University of Asunción, wrote with regard to the synopsis:

"The opinion furnished by the Juridical Assessor of Paraguayan Ministry for Foreign Affairs, is in every way correct. There have been no changes in the Paraguayan nationality laws or their interpretation since 1929."

PARAGUAY

A foreign woman who marries a Paraguayan man does not acquire Paraguayan nationality as a result of the marriage, under any circumstances.

Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Ascunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

This question does not arise in Paraguay, as nationality is not acquired or lost in this country by either a man or woman because of marriage.

(See preceding paragraph).

4. Changes in Nationality after Marriage

There is no distinction in the law between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Paraguayan does not carry with it a corresponding change in the nationality of the wife or husband.

Constit. Nov. 24, 1870, art. 36; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

A foreign married man or woman may be naturalized as a Paraguayan independently of the other party to the marriage and upon the same terms.

Constit. Nov. 24, 1870, art. 36; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

The period required for the naturalization of foreigners may be shortened for a foreign man who marries a Paraguayan woman, and in the same way for a foreign woman who marries a Paraguayan man.

Constit. Nov. 24, 1870, art. 36; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

Paraguayan nationality is never lost, according to Paraguayan law, even though another nationality is acquired, and the question does not arise, therefore, as to the effect of the relinquishing of nationality by one

party to the marriage upon the nationality of the other party.

Constit. Nov. 24, 1870, art. 40; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Paraguayan does not carry with it a corresponding change in the nationality of a minor child.

Constit. Nov. 24, 1870, art. 36; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

Paraguayan nationality is never lost, according to Paraguayan law, even though another nationality is acquired, and the question does not arise, therefore, as to the effect of the relinquishing of nationality by the parents upon the nationality of their child.

Constit. Nov. 24, 1870, art. 40; Information concerning the administration of the law, furnished by Juridical Assessor of Paraguayan Ministry for Foreign Affairs, Asunción, Oct. 22, 1929, through courtesy of United States Legation, Asunción.

PERU (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate, or legitimated, or legally recognized illegitimate child born in Peru has Peruvian nationality regardless of the nationality of the parents. A minor child of unknown parents, who is living in Peru, is presumed to have been born in Peru and has Peruvian nationality.

Constit. Apr. 9, 1933, art. 4.

A legitimate, or legitimated, or legally recognized illegitimate child born in a foreign country of a Peruvian father or mother has Peruvian nationality provided that the child is domiciled in Peru, or that its name is entered on the civil list or at a Peruvian Consulate.

Constit. Apr. 9, 1933, art. 4; Civil Code, July 28, 1852, arts. 265, 285, 286; Information concerning the administration of the law furnished by Peruvian Foreign Office, Lima, Apr. 24, 1930, through courtesy of United States Embassy, Lima.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Peruvian woman who marries a foreigner does not lose Peruvian nationality as a result of the marriage unless she expressly renounces Peruvian nationality.

Constit. Apr. 9, 1933, art. 6.

A foreign woman who marries a Peruvian man acquires Peruvian nationality in all cases.

Constit. Apr. 9, 1933, art. 6.

Marriage does not change the nationality of a man, under any circumstances.

Constit. Apr. 9, 1933, arts. 5, 6, 7.

---

(1) The interpretation of the Peruvian nationality law given in this synopsis was verified and approved, with certain corrections, by the Peruvian Foreign Office, May, 1930, through courtesy of the United States Embassy, Lima. A letter from the United States Embassy, Lima, May 5, 1930, stated with regard to the synopsis:

"The Embassy, in a note from the Foreign Office, dated April 24, 1930, has finally received the desired information. The only change in the original data submitted . . . is in the paragraph headed Parentage and Nationality." (The change referred to has been incorporated in the synopsis as here presented.)

A new Constitution was adopted in Peru in 1933 and the necessary changes have been made in the synopsis to bring it into harmony with the new Constitution. In a letter dated Oct. 23, 1933, Dr. Juan E. Mendoza Almenara, First Secretary of the Peruvian Embassy, Washington, and an authority on Peruvian law, wrote with regard to the synopsis as revised to include the changes in the law made by the new Constitution:

"I am pleased to state that, as a Peruvian lawyer, I find your commentaries to be perfectly correct."

P E R U

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has renounced Peruvian nationality upon marriage to an alien automatically regains that nationality upon the death of her husband provided that she is residing in Peru or returns to Peru to reside there.

Civil Code, July 28, 1852, art. 41.

A foreign woman who has acquired Peruvian nationality by marriage may relinquish that nationality upon the death of her husband by leaving Peru.

Civil Code, July 28, 1852, art. 41; Information concerning the administration of the law, furnished by Peruvian Foreign Office, Lima, Apr. 24, 1930, through courtesy of United States Embassy, Lima.

This question does not arise in the case of a man, as a man does not acquire or lose Peruvian nationality by marriage.

Constit. Apr. 9, 1933, arts. 5, 6, 7.

4. Changes in Nationality after Marriage.

There is no distinction in the law between a man and woman with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Peruvian does not carry with it a corresponding change in the nationality of the wife or husband.

Constit. Apr. 9, 1933, art. 5.

A foreign married man or woman may be naturalized as a Peruvian independently of the other party to the marriage and upon the same terms.

Constit. Apr. 9, 1933, art. 5; Information concerning the administration of the law, furnished by Peruvian Foreign Office, Lima, April 24, 1930, through courtesy of United States Embassy, Lima.

The voluntary relinquishment or the loss of Peruvian nationality by a Peruvian man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Constit. Apr. 9, 1933, art. 6.

A Peruvian married man or woman may relinquish Peruvian nationality independently of the other party to the marriage and upon the same terms.

Constit. Apr. 9, 1933, art. 7; Information concerning the administration of the law, furnished by Peruvian Foreign Office, Lima, Apr. 24, 1930, through courtesy of United States Embassy, Lima.

P E R U

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Peruvian does not carry with it a corresponding change in the nationality of a minor child.

Constit. Apr. 9, 1933, art. 5.

The voluntary relinquishment or the loss of Peruvian nationality by a Peruvian man carries with it a corresponding change in the nationality of a minor child if the child acquires the father's new nationality by the law of the father's adopted country and leaves Peru.

Information concerning the administration of the law, furnished by Peruvian Foreign Office, Lima, Apr. 24, 1930, through courtesy of United States Embassy, Lima.

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Information concerning the administration of the law, furnished by Peruvian Foreign Office, Lima, Apr. 24, 1930, through courtesy of United States Embassy, Lima.

EL SALVADOR (1)

1. Nationality at Birth

The law distinguishes between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A legitimate or legitimated child born in El Salvador of a Salvadoran father has Salvadoran nationality.

Constit. Aug. 13, 1886, art. 42 (2).

A legitimate or legitimated child born in El Salvador of a foreign father and a Salvadoran mother, has Salvadoran nationality unless within the year following majority, as fixed by the law of the father's country, the child declares before the proper authority its choice of the nationality of its father.

Constit. Aug. 13, 1886, art. 42 (2); Law of Alienship, Sept. 29, 1886, amended to Apr. 16, 1900, art. 2 (2).

A legitimate or legitimated child born in a foreign country of a Salvadoran father and not naturalized in the country of its birth has Salvadoran nationality.

Constit. Aug. 13, 1886, art. 42 (3).

An illegitimate child born in El Salvador of a foreign mother and an unknown father has Salvadoran nationality unless within the year following majority, as fixed by the law of the mother's country, the child declares before the proper authority its choice of the nationality of its mother.

Law of Alienship, Sept. 29, 1886, amended to Apr. 16, 1900, art. 2 (2).

An illegitimate child born in El Salvador of a Salvadoran mother and a foreign father who has not legally recognized the child, has Salvadoran nationality.

Constit. Aug. 13, 1886, art. 42 (2); Information concerning the administration of the law, furnished by Dr. H. D. Castro, Professor of Law and Dean of National University, San Salvador, and formerly Under Secretary for Foreign Relations of Salvadoran Government, San Salvador, in letter dated July 8, 1930, to Inter-American Commission of Women.

An illegitimate child born in a foreign country of a Salvadoran mother, and not legally recognized by the father, has Salvadoran nationality provided that the child has not received the nationality of the country of its birth.

Constit. Aug. 13, 1886, art. 42 (3); Information concerning the administration of the

---

(1) The interpretation of the Salvadoran nationality law given in this synopsis was verified and approved by the Salvadoran Ministry for Foreign Relations, Oct. 1933. Dr. R. Arrieta Rosso, Consulting Lawyer of the Executive Power to the Ministry for Foreign Relations, in a letter approving the synopsis, which was transmitted Oct. 7, 1933, by the official Salvadoran Representative in Washington, stated:

"Since the 8th of July, 1930, the date of the letter from Doctor Hector David Castro, which contains information relating to the nationality of women in our laws, there have been no reforms affecting the solution given to those points in said information, in the Constitution, or in the Law of Alienship, which are the only laws that govern the matter. The information mentioned is entirely exact and correct on all aspects of the nationality of women."

law, furnished by Dr. H. D. Castro, San Salvador, in letter dated July 8, 1930, to Inter-American Commission of Women.

A child born in El Salvador of foreign parents, who were, in turn, born in El Salvador of foreign parents or of a foreign father and a Salvadoran mother who were, themselves, born in El Salvador, has Salvadoran nationality.

Constit. Aug. 13, 1886, art. 42 (4); Information concerning the administration of the law, furnished by Salvadoran Ministry for Foreign Relations, San Salvador, Oct. 7, 1933, through courtesy of Salvadoran Legation, Washington.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Salvadoran woman who marries a foreigner loses Salvadoran nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Law of Alienship, Sept. 29, 1886, as amended to April 16, 1900, art. 2 (3).

A foreign woman who marries a Salvadoran man acquires Salvadoran nationality in all cases.

Information concerning the administration of the law, furnished by Salvadoran Ministry for Foreign Relations, San Salvador, Oct. 7, 1933, through courtesy of Salvadoran Legation, Washington.

Marriage does not change the nationality of a man, under any circumstances.

Constit. Aug. 13, 1886, art. 43; Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Salvadoran nationality by marriage may regain that nationality upon the termination of the marriage in case she is Salvadoran by birth, by establishing her residence in El Salvador and declaring before the proper authorities her desire to regain Salvadoran nationality.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (3).

A foreign woman who has acquired Salvadoran nationality by marriage may relinquish that nationality upon the termination of the marriage by reacquiring her former nationality or acquiring another nationality and transferring her residence from El Salvador.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (4).

This question does not arise in the case of a man, as a man does not acquire or lose Salvadoran nationality by marriage, under any circumstances.

Constit. Aug. 13, 1886, art. 43; Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Salvadoran carries with it a corresponding change in the nationality of his wife, provided that she lives in El Salvador and that she loses her former nationality by her husband's change in nationality. A woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (3); Information concerning the administration of the law, furnished by Dr. H. D. Castro, San Salvador, in letter dated July 8, 1930, to Inter-American Commission of Women.

A foreign married woman may be naturalized as a Salvadoran independently of her husband, when she accepts a paid public office in a non-military and non-educational field, in El Salvador. She may not be naturalized independently of her husband under any other circumstances.

Constit. Aug. 13, 1886, art. 48; Information concerning the administration of the law, furnished by Dr. H. D. Castro, San Salvador, in letter dated July 8, 1930, to Inter American Commission of Women.

The voluntary relinquishment or the loss of Salvadoran nationality by a Salvadoran man carries with it a corresponding change in the nationality of his wife if she acquires her husband's new nationality by the law of his adopted country and if she resides in that country. A Salvadoran woman has no similar power to change the nationality of her husband by any independent action on her part.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (3).

A Salvadoran married woman may not relinquish Salvadoran nationality independently of her husband, according to the present administration of the law in El Salvador, but there is no specific prohibition in the law upon this subject.

Information concerning the administration of the law, furnished by Dr. H. D. Castro, San Salvador, in letter dated July 8, 1930, to Inter American Commission of Women.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Salvadoran carries with it a corresponding change in the nationality of his minor child who is under the paternal power, provided that the child lives in El Salvador and loses its former nationality by the father's change in nationality.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (3); Information

EL SALVADOR

concerning the administration of the law, furnished by Dr. H. D. Castro, San Salvador, in letter dated July 8, 1930, to Inter-American Commission of Women.

The voluntary relinquishment or the loss of Salvadoran nationality by a Salvadoran man carries with it a corresponding change in the nationality of his minor child who is under the paternal power, provided that the child acquires the father's new nationality by the law of the father's adopted country, and provided that the child resides in that country.

Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2 (3).

A mother is unable to change the nationality of her legitimate child during the continuance of the marriage.

Constit. Aug. 13, 1886, art. 43; Law of Alienship, Sept. 29, 1886, as amended to Apr. 16, 1900, art. 2.

UNITED STATES (1)

1. Citizenship at Birth (2)

The law distinguishes between a father and mother with regard to the capacity to give citizenship to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in the United States has United States citizenship.

U. S. Constit. Mar. 4, 1789, 14th Amendment, July 28, 1868, sec. 1, Act of Congress Apr. 9, 1866, incorporated in Rev. Stat. 1878, sec. 1992.

This includes a child born in the United States of foreign parents; and includes such a child even though the parents are ineligible to become citizens by naturalization,

U. S. v. Wong Kim Ark, 1898, 169 U. S. 649.

and applies, according to the State Department's ruling, regardless of whether the parents are domiciled in the United States or are only temporary sojourners.

Mr. Bacon, Acting Secretary of State, to Mr. Tower, U. S. Ambassador, Berlin, Mar. 8, 1907, Foreign Relations, 1907, 516.

However, a child born in the United States of foreign parents is not regarded as having United States citizenship in case the alien father

---

(1) The citizenship laws of the United States, including the 14th Amendment, apply only to the United States proper and to territory which has been incorporated into the United States; in the absence of a specific statutory provision they do not apply to the unincorporated territories appurtenant to the United States. (Soto v. United States, 273 Fed. 628 - 635; Downes v. Bidwell, 182 U. S. 244; Dorr v. United States, 195 U. S. 138.) The statements in this snyopsis apply to the United States proper, Hawaii and Alaska; they do not apply, in all cases, to the Philippines, Puerto Rico, Panama Canal Zone, Virgin Islands, Guam and the Samoan Islands. (With regard to Hawaii, see Act of April 30, 1900, secs. 4, 5, 100, 31 Stat. 141, 161; Act of July 2, 1932, 47 Stat. 571; with regard to the Philippines, see Treaty between the United States and Spain, Apr. 11, 1899, 30 Stat. 1759; Act of July 1, 1902, 32 Stat. 691; Act of Mar. 23, 1912, 37 Stat. 77; Act of Aug. 29, 1916, 39 Stat. 545; Act of Mar. 26, 1920, 15 Public Laws of the Philippine Islands, 267 to 271; Act of Nov. 30, 1928, Pub. Laws of Philippine Islands, Vol. 24, p. 26 (8th Philippine Legislature, 1st Session, H. no. 523); Downes v. Bidwell, 182 U. S. 244; Dorr v. U. S., 195 U. S. 138; with regard to Puerto Rico, see Treaty between the United States and Spain, Apr. 11, 1899, 30 Stat. 1759; Act of Apr. 12, 1900, 31 Stat. 77; Act of Mar. 2, 1917, sec. 5, 39 Stat. 953, 965; Act of Mar. 4, 1927, sec. 2, 44 Stat. 1418; Balzac v. Puerto Rico, 258 U. S. 298; with regard to Alaska, see Rassmussen v. U. S., 197 U. S. 516; with regard to Panama Canal Zone, see Act of Aug. 24, 1912, 37 Stat. 569; with regard to the Virgin Islands, see Treaty between the United States and Denmark, Jan. 25, 1917, 39 Stat. 1711; Act of Feb. 25, 1927, secs. 1, 2, 3, 44 Stat. 1234, 1235, as amended June 28, 1932, secs. 1, 5, 47 Stat. 336; Soto v. U. S. 273 Fed. 628 - 635; with regard to Guam, see 25 Op. Atty. Gen. 59 - 61.)

(2) The words "citizen" and "citizenship" have been used in this snyopsis instead of the words "national" and "nationality" in stating the United States law because of the fact that "citizen" and "citizenship" are the words used in the United States statutes upon this subject. The United States law makes a distinction between those who are citizens of the United States and those who are nationals but not citizens. This synopsis gives the law for United States citizens but does not attempt to take up the modifications and variations in the law for those who are nationals but not citizens, such as citizens of the Philippine Islands who are not United States citizens.

is a diplomatic officer accredited to the United States.

Mr. Wharton, Acting Secretary of State, to Mr. Grant, Minister to Austria-Hungary, Aug. 10, 1891, Foreign Relations, 1891, 21.

A legitimate child born outside the jurisdiction of the United States of a father having United States citizenship at the time of the child's birth, has United States citizenship (regardless of whether the father is a native or a naturalized citizen), if the father has at some time prior to the child's birth resided in the United States. In order to receive the protection of the United States, such a child, if it should continue to reside outside the United States, must record at an American Consulate, upon reaching the age of eighteen, an intention to become a resident and remain a citizen of the United States, and must take the oath of allegiance to the United States upon reaching majority.

Act of Congress Apr. 14, 1802, sec. 4, 2 Stat. 155, and Act of Feb. 10, 1855, sec. 1, 10 Stat. 604, incorporated in Rev. Stat. 1878, sec. 1993; Act of Congress Mar. 2, 1907, secs. 6, 7, 34 Stat. 1229; Weedin v. Chin Bow, 1927, 274 U. S. 657; Oldtown v. Bangor, 58 Me. 353; Sasportas v. De La Motta, 10 Rich. Eq. 38.

A legitimate child born outside the jurisdiction of the United States of a mother having United States citizenship and a foreign father, does not have United States citizenship.

Act of Congress Apr. 14, 1802, sec. 4, 2 Stat. 155, and Act of Feb. 10, 1855, sec. 1, 10 Stat. 604, incorporated in Rev. Stat. 1878, sec. 1993; Ludlam v. Ludlam, 31 Barb. 486; Opinion Atty. Gen. Oct. 8, 1929, 36 Op. Atty. Gen. 197.

An illegitimate child who has not been legitimated, born outside the jurisdiction of the United States of a father having United States citizenship, does not have United States citizenship through the father.

Ng Suey Hi v. Weedin, 1927, 21 F. (2d) 801; Mason ex. rel. Chin Suey v. Tillinghast C.C. A. Mass. 1928, 26 F. (2d) 588.

The State Department has held for many years that an illegitimate child born outside the jurisdiction of the United States of a father having United States citizenship, and subsequently legitimated according to the law of the father's domicile, has United States citizenship from the time of its legitimation, under the same conditions as would a legitimate child. This position has also been upheld by the Attorney General.

Opinion Atty. Gen. Apr. 7, 1920, 32 Op. Atty. Gen. 162.

The law is not settled concerning the citizenship of an illegitimate child, who has not been legitimated, born outside the jurisdiction of the United States of a mother having United States citizenship. Such a child was regarded as not having United States citizenship by the United States Arbitrator in an international arbitration case, but in some recent cases the State Department has held that such a child has United States citizenship.

Opinion of Arbitrator for United States in Case of F. M. de Acosta y Foster (U. S.) v. Spain, No. 118 Span. Com. (1871), Dec. 14, 1882, Moore, Arbitrations III, 2463; See also "The Diplomatic Protection of Citizens Abroad," by E. M. Borchard, 1916, p. 612,

and "International Law, Chiefly as Interpreted and Applied by the United States," by Charles Cheney Hyde, Vol. I, p. 617, s 345.

The adoption of a foreign child by a man or woman having United States citizenship does not give United States citizenship to the child.

Mr. Fish, Secretary of State, to Mr. Rand, Jan. 6, 1872, 92 MS. Dom. Let. 142, Moore, Dig., III, 484; Mr. Frelinghuysen, Secretary of State, to Mr. Willis, M. C., Feb. 21, 1884, 150 MS. Dom. Let. 86, Moore, Dig., III, 485; Mr. Adee, Second Assistant Secretary of State, to Mr. Goepel, Sept. 13, 1888, 169 MS. Dom. Let. 657, Moore, Dig., III, 485.

2. Effect of Marriage upon Citizenship

The law distinguishes between a man and woman with regard to the effect of marriage upon citizenship. The main points of the law are as follows:

A woman having United States citizenship who marries a foreigner does not lose United States citizenship as a result of the marriage, under any circumstances. She is permitted, however, upon marriage to a foreigner, to make a formal renunciation of her United States citizenship before a court having jurisdiction over the naturalization of foreigners, if she wishes to do so.

Act of Congress, Sept. 22, 1922, sec.3(a), 42 Stat. 1022, amended by Act of July 3, 1930, sec. 1, 46 Stat. 854, and amended by Act of Mar. 3, 1931, sec. 4 (a), 46 Stat. 1511.

A foreign woman who marries a man having United States citizenship does not acquire United States citizenship as a result of the marriage, under any circumstances.

Act of Congress, Sept. 22, 1922, sec. 2, 42 Stat. 1022, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511.

Marriage does not change the citizenship of a man, under any circumstances.

English Common Law.

3. Regaining Citizenship lost by Marriage and obtaining Release from Citizenship acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining citizenship lost by marriage and obtaining release from citizenship acquired by marriage. The main points of the law are as follows:

The question of regaining United States citizenship lost by marriage does not arise in the case of a woman having United States citizenship who marries a foreigner at the present time, or whose husband ceases to have United States citizenship at the present time, since such a woman does not lose her United States citizenship, under the present law. This question arises, however, with regard to a woman who has previously lost United States citizenship because of marriage to a foreigner or

because of the loss of United States citizenship by her husband.[1] Such a woman may regain United States citizenship, either during the continuance of the marriage or upon its termination, by complying with the requirements for the naturalization of foreigners excepting that

(1) a declaration of intention is not required,

(2) a certificate of arrival is not required,

(3) there is no requirement of a period of residence within the United States or within the county where the petition is filed,

(4) the petition need not set forth that it is her intention to reside permanently in the United States,

(5) the petition may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner,

(6) the petition may be heard at any time after filing if, at the time of filing there is attached to the petition a certificate from a naturalization examiner stating that the petitioner has appeared before him for examination.

A woman is not entitled to repatriation under the foregoing conditions if she has acquired another nationality by an affirmative act on her part, or if her United States citizenship originated solely by reason of her marriage to a man having United States citizenship, or by reason of the acquisition of United States citizenship by her husband. She must, furthermore, be eligible to United States citizenship excepting that if she was a citizen of the United States by birth she may not be denied naturalization on account of her race. A woman who is abroad is required to return to the United States for repatriation but she is not required to come within the quota regulations for immigrants.

Act of Congress, Sept. 22, 1922, secs. 2 (a, b) and 3, 42 Stat. 1022, amended by Act of July 3, 1930, sec. 2 (a), 46 Stat. 854, and amended by Act of Mar. 3, 1931, sec. 4 (a), 46 Stat. 1511; Act of Congress, May 26, 1924, sec. 4 (a), as amended by Act of May 29, 1928, sec. 1, 45 Stat. 1009; and by Act of July 3, 1930, sec. 3, 46 Stat. 854.

The question of obtaining release from United States nationality does not arise in the case of a foreign woman who marries a man having United States citizenship at the present time, as such a woman does not acquire United States citizenship by the marriage under the present law. This question arises, however, in the case of a woman who acquired United States citizenship by marriage or by the naturalization of her husband, between Feb. 10, 1855, and Sept. 22, 1922, under the Act of Feb. 10, 1855. Such a woman may relinquish United States citizenship by becoming naturalized in any foreign country in conformity with its laws, or by taking the oath of allegiance to a foreign country. If she establishes permanent residence in the country of her nativity or in any other foreign country, her naturalization certificate as a citizen of the United

---

(1) Since the Act of Congress of Mar. 3, 1931 (46 Stat. 1511), United States citizenship has not been lost by a woman as a result of marriage to a foreigner or as a result of the loss of United States citizenship by her husband. For cases of loss of nationality prior to Mar. 2, 1907, see Moore, Dig. III, 454-456; see also Petition of Zogbaum (D.C. S. Dak. 1929, 32 F. (2d) 911. For the law regarding loss of nationality between Mar. 2, 1907 and Sept. 22, 1922, see Act of Congress, Mar. 2, 1907 (34 Stat. 1228). For the law regarding loss of citizenship between Sept. 22, 1922, and July 3, 1930, see Act of Congress, Sept. 22, 1922, sec. 3 (42 Stat. 1022). For the law regarding loss of citizenship between July 3, 1930, and Mar. 3, 1931, see Act of Congress, Sept. 22, 1922, sec. 3 (42 Stat. 1022), as amended by Act of July 3, 1930, sec. 1 (46 Stat. 854).

States is subject to cancellation.

Act of Congress, Feb. 10, 1855, 10 Stat. 604, R. S. sec. 1994; Kelly v. Owen, 1868, 7 Wall (U. S.) 496; Act of Congress, Mar. 2, 1907, sec. 2, 34 Stat. 1229; Act of Congress, June 29, 1906, sec. 15, 34 Stat. 601.

This question does not arise in the case of a man, as a man does not, and did not at any previous time, acquire or lose United States citizenship by marriage.

English Common Law.

4. Changes in Citizenship after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign married man as a United States citizen does not carry with it a corresponding change in the citizenship of his wife.

Act of Congress, Sept. 22, 1922, sec. 2, 42 Stat. 1022, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511.

A foreign married woman may be naturalized as a United States citizen independently of the naturalization of her husband and without his authorization. Such a woman may be naturalized even though her husband is not eligible to naturalization.

Act of Congress, Sept. 22, 1922, sec. 1, 42 Stat. 1021, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511.

The naturalization requirements are reduced for a foreign woman who marries a citizen of the United States or whose husband is naturalized as a United States citizen. Such a woman, if eligible to United States citizenship, is released from the usual naturalization requirement of a declaration of intention. Furthermore, the usual requirement of five years' residence within the United States and six months' residence within the county where the petition for naturalization is filed, is reduced for such a woman to the requirement of one year's continuous residence in the United States, Hawaii, Alaska, or Puerto Rico, immediately before the filing of the petition. No corresponding reduction in the requirements for naturalization is made for a foreign man who marries a woman citizen of the United States or in the case of a foreign man whose wife is naturalized.

Act of Congress, Sept. 22, 1922, sec. 2, 42 Stat. 1022, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511; Act of Congress, Mar. 2, 1929, sec. 6 (b), 45 Stat. 1513.

When a foreign man who has declared his intention to become naturalized dies before his naturalization is completed, his widow and minor children may be naturalized without any declaration of intention, upon complying with the other requirements concerning naturalization. No corresponding reduction in the naturalization requirement concerning a declaration of intention is made for a foreign man whose wife has declared her intention to become naturalized and who has died before her naturalization is completed.

Act of Congress, June 29, 1906, sec. 4, subdiv. 6, 34 Stat. 597; U. S. v. Manzi, 1928, 276 U. S. 463.

When a foreign man who has declared his intention to become naturalized becomes insane before his naturalization is completed, and when his wife thereafter makes a homestead entry under the land laws of the United States, the wife and their minor children may be naturalized without any declaration of intention, upon complying with the other requirements concerning naturalization. No corresponding reduction is made for a foreign man whose wife has declared her intention to become naturalized and has become insane before her naturalization is completed.

Act of Congress, Feb. 24, 1911, 36 Stat. 929.

A foreign woman who is the wife of a man having United States citizenship is exempted from complying with the quota requirements for entrance into the United States. A foreign man who is married to a woman having United States citizenship is not exempted, however, excepting when the marriage occurred prior to July 1, 1932.

Act of Congress, May 26, 1924, sec. 4 (a), 43 Stat. 155, as amended by Act of May 29, 1928, sec. 2, 45 Stat. 1009, and amended by Act of July 11, 1932, sec. 1, 47 Stat. 656.

The voluntary relinquishment or the loss of United States citizenship by a man having United States citizenship does not carry with a corresponding change in the citizenship of his wife.

Act of Congress, Mar. 2, 1907, sec. 2, 34 Stat. 1228; Act of Congress, Sept. 22, 1922, sec. 3, 42 Stat. 1022, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511; Statement concerning Act of 1922 and amendments by Representative John L. Cable (sponsor of Act of 1922 in Congress), at Hearing before Senate Immigration sub-committee, Mar. 2, 1933.

A married woman having United States citizenship may relinquish that citizenship independently of relinquishment by her husband and without his authorization.

Act of Congress, Mar. 2, 1907, sec. 2, 34 Stat. 1228; Act of Congress, Sept. 22, 1922, sec. 3, 42 Stat. 1022, amended by Act of July 3, 1930, 46 Stat. 854, and amended by Act of Mar. 3, 1931, 46 Stat. 1511; Statement concerning Act of 1922 and amendments by Representative John L. Cable (sponsor of Act of 1922 in Congress), at Hearing before Senate Immigration subcommittee, Mar. 2, 1933.

5. Effect of Change of Citizenship by Parents upon Citizenship of Child

The law distinguishes between a father and mother with regard to the effect of a change of citizenship upon the citizenship of their child. The main points of the law are as follows:

The naturalization of a foreign man as a United States citizen or the resumption of United States citizenship by a man formerly having that citizenship carries with it the naturalization of his minor child born outside the United States, from the time when such minor child begins to reside permanently in the United States.

Act of Congress, Apr. 14, 1802, sec. 4, 2 Stat. 155, modified and incorporated in Rev. Stat., 1878, sec. 2172; Act of Congress, Mar. 2, 1907, sec. 5, 34 Stat. 1228.

The naturalization of a foreign woman as a United States citizen does

not carry with it the naturalization of her minor child born outside the United States, in those cases where the father and mother are living together and the father has not become naturalized.

In re Citizenship Status of Minor Children where Mother alone Becomes Citizen through Naturalization (D. C. N. J., 1928), 25 F. (2d), 210.

The naturalization of a foreign woman, or the resumption of United States citizenship by a woman formerly having that citizenship, however, carries with it the naturalization of her minor child born outside the United States when the marriage no longer exists, and the child is in her legal custody.

Act of Congress, Apr. 14, 1802, sec. 4, 2 Stat. 155, modified and incorporated in Rev. Stat. 1878, sec. 2172; Act of Congress, Mar. 2, 1907, sec. 5, 34 Stat. 1228; Petition of Drysdale (D. C. Mich. 1927), 20 F. (2d), 957; In re Bishop (D. C., Wash. 1927), 26 F. (2d), 148; In re Lazarus (D. C. Ga., 1928), 24 F. (2d), 243; Opinion of Atty. Gen., Oct. 8, 1929, 36 Op. Atty. Gen., 197; Opinion of Atty. Gen., Mar. 1, 1933.

The voluntary relinquishment or the loss of United States citizenship by a man or woman having United States citizenship does not, as a general rule, carry with it loss of United States citizenship of a minor child.

Jackson's Case, 1907, 79 Vermont Reports, 504.

URUGUAY (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child, legitimate or illegitimate, born in Uruguay, has Uruguayan nationality.

Constit. Jan. 3, 1918, art. 7.

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Uruguayan father or mother has Uruguayan nationality provided that the child resides in Uruguay and is registered in the Civil Register.

Constit. Jan. 3, 1918, art. 7; Civil Code, Jan. 23, 1868, arts. 231, 234; Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

2. Effect of Marriage upon Nationality

There is no distinction in the law between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Uruguayan woman who marries a foreigner does not lose Uruguayan nationality as a result of the marriage, under any circumstances.

Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

A foreign woman who marries a Uruguayan man does not acquire Uruguayan nationality as a result of the marriage, under any circumstances. A Uruguayan passport and diplomatic facilities may be given to the foreign wife or widow of a Uruguayan man when she has no nationality as a result of having lost her original nationality by her marriage, according to the law of her country, and not having acquired Uruguayan nationality, according to Uruguayan law. The granting of such a passport and diplomatic facilities does not mean the recognition of Uruguayan nationality, however.

Decree of Minister for Foreign Relations, Nov. 30, 1928, art. 3.

Marriage does not change the nationality of a man, under any circumstances.

Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

This question does not arise in Uruguay as nationality is not acquired or

---

(1) The information concerning the Uruguayan nationality law and the administration of that law, given in this synopsis, was supplied by the Uruguayan Foreign Office, Montevideo, through courtesy of the United States Legation, Montevideo, Aug. 17, 1929.

lost in this country by either a man or woman because of marriage.

(See preceding paragraph).

4. Changes in Nationality after Marriage

There is no distinction in the law between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Uruguayan does not carry with it a corresponding change in the nationality of the wife or husband.

Naturalization Law, Feb. 1, 1928; Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

A foreign married man or woman may be naturalized as a Uruguayan independently of the other party to the marriage and upon the same terms.

Constit. Jan. 3, 1918, art. 8; Naturalization Law, Feb. 1, 1928; Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

The voluntary relinquishment or the loss of Uruguayan nationality by a Uruguayan man or woman does not carry with it a corresponding change in the nationality of the wife or husband.

Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

A Uruguayan married man or woman may relinquish Uruguayan nationality independently of the other party to the marriage and upon the same terms.

Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

5. Effect of Change of Nationality by Parents upon Nationality of Child

There is no distinction in the law between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man or woman as a Uruguayan does not carry with it a corresponding change in the nationality of their child.

Decree of Minister of Foreign Relations, Nov. 30, 1928, art. 3; Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

U R U G U A Y

The voluntary relinquishment or the loss of Uruguayan nationality by a Uruguayan man or woman does not carry with it a corresponding change in the nationality of their child.

Information concerning the administration of the law, furnished by Uruguayan Foreign Office, Montevideo, Aug. 17, 1929, through courtesy of United States Legation, Montevideo.

VENEZUELA (1)

1. Nationality at Birth

There is no distinction in the law between a father and mother with regard to the capacity to give nationality to their child. The main points of the law are as follows:

A child legitimate or illegitimate, born in Venezuela, has Venezuelan nationality, regardless of the nationality of the parents.

Constit. July 7, 1931, art. 28 (1).

A legitimate, or legitimated, or legally recognized illegitimate child, born in a foreign country of a Venezuelan father and mother, has Venezuelan nationality.

Constit. July 7, 1931, art. 28 (2); Information concerning the administration of the law, furnished by Dr. Carlos F. Grisanti, former Judge of Venezuelan Supreme Court, in letter dated Sept. 30, 1929, to Inter American Commission of Women.

2. Effect of Marriage upon Nationality

The law distinguishes between a man and woman with regard to the effect of marriage upon nationality. The main points of the law are as follows:

A Venezuelan woman who marries a foreigner loses Venezuelan nationality if she acquires her husband's nationality by the marriage, according to the law of his country.

Civil Code, July 13, 1922, art. 22.

A foreign woman who marries a Venezuelan man acquires Venezuelan nationality in all cases.

Constit. July 7, 1931, art. 29 (4); Civil Code, July 13, 1922, art. 21.

Marriage does not change the nationality of a man, under any circumstances.

Civil Code, July 13, 1922, arts. 21, 22; Information concerning the administration of the law, furnished by Dr. Gil Borges, member of Supreme Court Bar of Venezuela, in memorandum dated Sept. 30, 1929, addressed to Inter American Commission of Women.

---

(1) The interpretation of the Venezuelan nationality law given in this synopsis was verified and approved by Dr. Simon Planas-Surez, Associate Member from Venezuela of the Institut de Droit International, who wrote Oct. 17, 1929:
"It has given me great pleasure to examine the synopsis of the nationality law of Venezuela as it relates to women. I find it exact."

The synopsis was also verified and approved by the distinguished Venezuelan jurist, His Excellency, Dr. Pedro Manuel Arcaya, Minister from Venezuela to the United States, who wrote Oct. 20, 1933:
"The Secretary of the Legation has shown me the synopsis drawn up by you concerning the nationality of women according to Venezuelan law, and it is a pleasure for me to state that, according to my examination, there is nothing therein to be corrected."

V E N E Z U E L A

3. Regaining Nationality lost by Marriage and obtaining Release from Nationality acquired by Marriage

The law distinguishes between a husband and wife with regard to regaining nationality lost by marriage and obtaining release from nationality acquired by marriage. The main points of the law are as follows:

A woman who has lost Venezuelan nationality by marriage automatically regains that nationality upon the termination of the marriage.

Civil Code, July 13, 1922, art. 22; Stevenson Case before British-Venezuelan Commission, Venezuelan Arbitrations of 1903, p. 438.

A woman who has acquired Venezuelan nationality by marriage automatically ceases to have that nationality upon the termination of the marriage, unless within the following year she makes a declaration, in the form prescribed by law, of desire to retain Venezuelan nationality.

Constit. July 7, 1931, art. 29 (4); Civil Code, July 13, 1922, art. 21.

This question does not arise in the case of a man, as a man does not acquire or lose Venezuelan nationality by marriage.

Civil Code, July 13, 1922, arts. 21, 22.

4. Changes in Nationality after Marriage

The law distinguishes between a husband and wife with regard to a change of nationality after marriage. The main points of the law are as follows:

The naturalization of a foreign man as a Venezuelan carries with it the naturalization of his wife if he includes his wife in his application for naturalization and if she signs the petition for naturalization, in the form prescribed by law. Otherwise, the husband's naturalization does not carry with it the naturalization of the wife. A woman has no similar power to facilitate the naturalization of her husband by any independent action on her part.

Naturalization Law, July 13, 1928, art. 4 (2); Information concerning the administration of the law, furnished by Dr. Carlos F. Grisanti, in letter dated Sept. 30, 1929, to Inter American Commission of Women.

A foreign married woman who wishes to be naturalized as a Venezuelan must present the authorization of her husband or of the Judge of her place of domicile, according to the law of her own country.

Information concerning the administration of the law, furnished by Dr. Carlos F. Grisanti, in letter dated Sept. 30, 1929, to Inter American Commission of Women.

The naturalization requirements are reduced for a foreign man who marries a Venezuelan woman. This question does not arise in the case of a foreign woman who marries a Venezuelan man as she has no independent choice of nationality through her own naturalization but acquires her husband's nationality upon marriage in all cases.

Constit. July 7, 1931, art. 29 (4); Civil Code, July 13, 1922, art. 21; Naturalization Law, July 13, 1928, art. 1.

The voluntary relinquishment or the loss of Venezuelan nationality by a Venezuelan man carries with it a corresponding change in the nationality of the wife if she acquires her husband's new nationality by the law of

VENEZUELA

his adopted country, and if the acquisition of her husband's new nationality is voluntary on her part. Otherwise she retains Venezuelan nationality. A Venezuelan woman has no similar power to facilitate the expatriation of her husband by any independent action on her part.

Civil Code, July 13, 1922, art. 22; Naturalization Law, July 13, 1928, art. 7; Information concerning the administration of the law, furnished by Dr. Gil Borges, in memorandum dated Sept. 30, 1929, addressed to Inter American Commission of Women.

A Venezuelan married woman may not relinquish Venezuelan nationality independently of her husband.

Information concerning the administration of the law, furnished by Law Office of Schuster and Feuille, Caracas, Aug. 27, 1929, through courtesy of United States Legation, Caracas.

5. Effect of Change of Nationality by Parents upon Nationality of Child

The law distinguishes between a father and mother with regard to the effect of a change of nationality upon the nationality of their child. The main points of the law are as follows:

The naturalization of a foreign man as a Venezuelan carries with it a corresponding change in the nationality of his minor child under his care, whether legitimate or illegitimate. Such a child has the right, however, to decline Venezuelan nationality within the year following majority by making a declaration to this effect before the proper authorities, in the form prescribed by law.

Naturalization Law, July 13, 1928, arts. 2 (4), 4 (1); Information concerning the administration of the law, furnished by Law Office of Schuster and Feuille, Caracas, Aug. 27, 1929, through courtesy of United States Legation, Caracas.

The voluntary relinquishment or the loss of Venezuelan nationality by a Venezuelan man carries with it a corresponding change in the nationality of his minor child under his care, whether legitimate or illegitimate, provided that such a child acquires the father's new nationality by the law of his adopted country and leaves Venezuela.

Naturalization Law, July 13, 1928, art. 7; Information concerning the administration of the law, furnished by Dr. Gil Borges, in memorandum dated Sept. 30, 1929, addressed to Inter American Commission of Women.

A mother is unable to change the nationality of her minor child during the continuance of the marriage. After the death of the father, however, she has the same rights with regard to changing the nationality of her child as were possessed by the father during his lifetime.

Naturalization Law, July 13, 1928, arts. 2 (4), 4 (1), 7, 8; Information concerning the administration of the law, furnished by Dr. Gil Borges, in memorandum dated Sept. 30, 1929, addressed to Inter American Commission of Women.