

THE REPUBLIC OF SOMALILAND
CITIZENSHIP LAW
(LAW No: 22/2002)

THE HOUSE OF REPRESENTATIVES of the Republic of Somaliland

Having Seen: Article 4[3] of the Constitution of the Republic of Somaliland;

Having noted: The need, at the moment, for the promulgation of a law which governs matters relating to Somaliland citizenship, and which is a component of the exercise of the rights of citizens to vote in elections;

Having considered: The contents of the Bill and having based (its provisions) on our own culture, Islamic religion, governmental practices and the (current) state of our economic development;

HEREBY PASSES THIS LAW

Article 1: Definitions

CITIZEN: means an individual who descended from persons who were resident in the territory of Somaliland on 26 June 1960 or before, and a person who had Somaliland citizenship conferred on him lawfully.

REFUGEE: means a person who has been granted asylum and is resident in a host country.

ALIEN: means anyone who is not a Somaliland citizen.

ADULT: means any citizen who is 15 years old or more.

CHILD: means any citizen who is less than 15 years old.

COMMITTEE: means the National Citizenship Committee appointed by the President

CHILD WHOSE PATERNITY IS UNKNOWN: means a child the identity of whose father has not been acknowledged, but who has a single parent who is his birth mother.

Article 2: Citizenship by birth

1. A Somaliland citizen by birth is anyone whose father is a descendent of persons who resided in the territory of Somaliland on 26 June 1960 and before.
2. A Somaliland citizen by birth may acquire the citizenship of another country (dual nationality) without losing his Somaliland citizenship.
3. Unless he has not voluntarily renounced the right to Somaliland citizenship, any adult progeny of a male Somaliland citizen, who resides in a foreign country or is a citizen of another country or is a refugee in another country may acquire Somaliland citizenship on his first return to the territory of Somaliland.

Article 3: Obtaining confirmation of citizenship

1. The confirmation of proof of Somaliland citizenship may be obtained by an individual on the production of:

- a) A declaration relating to the individual made at a court by the Ministry of Internal Affairs registered Akil (clan chief) of the individual's community[19].
 - b) The form designed for the purpose by the Citizenship Office and signed by the individual.
2. The confirmation of Somaliland citizenship shall be done in a uniform manner and recorded serially by the Ministry of Internal Affairs. It shall be signed by the Chairman of the relevant region.
 3. The layout and colour of the document showing confirmation and conferment (of citizenship) and its printing and administration shall be set out in regulations issued by the Minister of Internal Affairs.

Article 4: Conferment of citizenship on a person who is an alien or a refugee

1. Any alien or refugee who is lawfully resident in the territory of Somaliland and who applies for Somaliland citizenship may be granted such citizenship when he fulfils the following conditions:

- a) He must be an adult.
 - b) He must have resided lawfully in the territory of Somaliland for an unbroken period of no less than 10 years.
 - c) He must be known for his good character and behaviour.
 - d) He must not have been subject of a sentence for an offence proven in a court, and must not have participated in activities which were contrary to the sovereignty of Somaliland.
 - e) He must have been taxpayer during his period of residence in the territory of Somaliland.
 - f) He must submit a declaration in which he is renouncing his previous citizenship, and must, at the same time, make the oath set out in Article 6 of this Law.
2. Any person whose mother is a Somaliland citizen and has been proved to have no father may be granted citizenship if he applies for it and fulfils the conditions set out in this Law at paragraph 1 of this Article.

Article 5: Procedure for conferment of citizenship

1. The conferment of citizenship as set out in Article 4 shall be undertaken by the President who shall issue it in a decree after he has considered the advice of the National Citizenship Committee. The Committee shall consist of 12 members of the Council of Ministers and the Minister of Internal Affairs shall act as its Chairm
2. The members of the (National) Citizenship Committee shall be citizens who are known for their honesty and who are representative of the wider society of Somaliland.

Article 6: Oath

1. The decision to confer citizenship shall not be valid if the applicant has not renounced his previous citizenship, or if he has sought the protection of another state or if he has not made the following oath:

“ OATH:

I SWEAR BY ALLAH THAT I SHALL REMAIN TRUE TO THE COUNTRY OF SOMALILAND, OBSERVE THE CONSTITUTION AND LAWS OF SOMALILAND AND RENOUNCE FULLY MY PREVIOUS CITIZENSHIP.”

2. The applicant shall make the oath in front of the Chairman of the relevant region and a judge of the District Court shall administer the oath.

Article 7: Loss of citizenship

Somaliland citizenship may be lost:

- 1) When the person renounces it voluntarily and acquires another citizenship.
- 2) When the person accepts the service of another government or becomes a member of the armed forces of another government and such service or membership is detrimental to the sovereignty of Somaliland and the person refuses to relinquish such service or membership within the time limit set by the Somaliland government.
- 3) The citizenship acquired as set out in Article 4 may be withdrawn when the National Citizenship Committee is satisfied that the person who had the citizenship conferred on him was not suitable for it or has broken one of the conditions upon which citizenship was granted.
- 4) The conferment of citizenship may be withdrawn if it becomes clear that the evidence relied upon to grant the citizenship has been false. Any person who tenders such false evidence shall be dealt with under the law.

5) The withdrawal of the conferment of citizenship shall be issued in a Decree by the President after he has considered the advice of the National Citizenship Committee.

Article 8: Re-acquisition of citizenship

1. A person who has lost Somaliland citizenship and applies to acquire it again may be allowed to do so if he fulfils the conditions set out in Article 4 of this Law.

2. The re-acquisition of citizenship shall be issued in a Decree by the President after he has considered the advice of the National Citizenship Committee.

Article 9: Marriage of a female citizen and an alien

1. Any female alien who marries a male (Somaliland) citizen shall acquire Somaliland citizenship and, unless she has renounced it, shall retain such citizenship even after her divorce.

2. Any female (Somaliland) citizen who marries a male alien shall lose her citizenship if she accepts her husband's citizenship.

3. A female citizen, who is married to a husband who has renounced his Somaliland citizenship and acquired another citizenship, shall lose her (Somaliland) citizenship unless the husband was a refugee.

4. A woman who loses Somaliland citizenship because of marriage may re-acquire such citizenship if the circumstances set out in this Law apply to her.

Article 10: Children

1. Children under the age of majority whose father acquired or lost or re-acquired Somaliland citizenship shall, in all these circumstances, be treated like their fathers under this Law.

2. When a child reaches the age of majority, he may request confirmation of his (Somaliland) citizenship.

Article 11: Children in special circumstances

Confirmation of citizenship may also be granted to a child who is born in the territory of Somaliland and whose parents are not known. The request for confirmation in such circumstances shall be made by the persons who have custody of or are caring for the child.

Article 12: Repeal

All laws which are conflict with or do not conform to the provisions of this Law are hereby repealed.

Article 13: Regulations for implementing this Law

After seeking the advice of the National Citizenship Committee, the Minister of Internal Affairs shall issue regulations for implementing this Law.

Article 14: Coming into force

This Law shall come into force on its signature by the President of the Republic after its approval by Parliament.

This Law was passed by the House of Representatives on 1st March 2002 and was signed by the President on 3rd June 2002.