

Immigration and  
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## RESPONSES TO INFORMATION REQUESTS (RIRs)

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AFG42910.E

24 September 2004

Afghanistan: Whether a citizen of Afghanistan who had left the country in 1994 continues to retain his or her citizenship; if so, whether the spouse and children of such an individual, who are citizens of Ukraine, are able to access Afghan citizenship; if so, the procedure for acquisition of Afghan citizenship by spouses and children of Afghan citizens; whether the procedure is the same for males and females

Research Directorate, Immigration and Refugee Board, Ottawa

In correspondence to the Research Directorate dated 17 September 2004, the Embassy of Afghanistan, in Ottawa, provided the following information:

According to Acts governing citizenship in Afghanistan, a citizen of Afghanistan shall continue to remain a subject of the country until and unless he or she officially applies for relinquishment of the citizenship. Yet, in the event one should choose to do so, an application made through due process to that end will still be subject to a final approval by the head of the State of Afghanistan.

Foreign spouses bound by marriage to a national of Afghanistan and non-biological children to a citizen of Afghanistan, by law are able to access Afghanistan citizenship. However, the applicant(s) is required to produce requisite documents substantiating the relationship, and follow through due process.

In conformity with the laws currently enforced in Afghanistan, the procedure above is applicable to both males and females.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### Reference

Embassy of Afghanistan, Ottawa. 17 September 2004. Correspondence from the Ambassador's Secretariat.

Additional Sources Consulted

**Internet sites, including:** Afghanistan Constitutional Commission; Afghansite.com; Embassy of Afghanistan [Washington]; International Development Law Organisation (Collection of Afghan Laws); Islamic Transitional State of Afghanistan; Law Library of Congress (Multinational Collections Database) [Washington].

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