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10 November 2005

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Djibouti/Ethiopia: Citizenship of children born in Ethiopia 1960 - 1976 to Djibouti nationals (January 1960 - December 1976)
Research Directorate, Immigration and Refugee Board, Ottawa

In a 9 November 2005 telephone interview with the Research Directorate, the First Counsellor of the Embassy of the Republic of Djibouti in Washington, DC indicated that all those born in Djibouti before its independence from France [on 27 June 1977 (Djibouti 24 Oct. 1981)] were French (Djibouti 9 Nov. 2005). Children born of Djiboutian (and thus French) parents were also French, even if they were born outside Djibouti (*ibid.*). French citizenship would have been conferred upon children even if only one of their parents (the father or the mother) was a French citizen as a result of his or her Djiboutian origin (*ibid.*).

According to Articles 5 and 6 of the Djiboutian Nationality Code of 24 October 1981 (*Loi No. 200/A.N./1981 portant code de la nationalité djiboutienne*), a person who, prior to 27 June 1977, had French citizenship, either because he had been born in Djibouti or because he was of Djiboutian origin but lived in a country neighbouring Djibouti, on 27 June 1977 became a Djiboutian citizen (Djibouti 24 Oct. 1981). The same set of conditions applied to minor children of French citizens of Djibouti birth or origin (*ibid.*). For further details on this law in its original language, please see the document attached.

On 9 November 2005, a consular official at the Embassy of Ethiopia in Washington, DC provided the following information in a telephone interview:

Children born in Ethiopia between 1960 and 1976 to Djibouti nationals would not have Ethiopian citizenship. The consular official added that the Ethiopian Nationality Law of 1930, which describes the acquisition of Ethiopian citizenship only for persons born in Ethiopia or abroad to at least one Ethiopian parent (Ethiopia 22 July 1930), is still in force (*ibid.* 9 Nov. 2005). A non-Ethiopian can apply for naturalization after living in Ethiopia for a period of five years (*ibid.*).

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.

References

Djibouti. 9 November 2005. Embassy of the Republic of Djibouti in Washington, DC. Telephone interview with the First Counsellor.

_____. 24 October 1981. *Loi No. 200/A.N./1981 portant code de la nationalité djiboutienne*. (United Nations High Commissioner for Refugees (UNHCR) Refworld 2004) <<http://www.unhcr.ch>> [Accessed 9 Nov. 2005]

Ethiopia. 9 November 2005. Embassy of the Federal Democratic Republic of Ethiopia in Washington, DC. Telephone interview with a consular official.

_____. 22 July 1930. Ethiopian Nationality Law of 1930. (UNHCR Refworld 2004) <<http://www.unhcr.ch>> [Accessed 9 Nov. 2005]

Attachment

Djibouti. 24 October 1981. "Titre II de la nationalité djiboutienne d'origine." *Loi No. 200/A.N./1981 portant code de la nationalité djiboutienne*. (UNHCR Refworld 2004) <<http://www.unhcr.ch>> [Accessed 9 Nov. 2005]

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