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REPORT BASED ON REPLIES TO PART I, SECTION G  
(NATIONALITY) OF THE QUESTIONNAIRE ON THE  
LEGAL STATUS AND TREATMENT OF WOMEN

Prepared by the Secretariat

INTRODUCTION

1. The Economic and Social Council on 20 August 1948 requested the Secretary-General (Part C of resolution 154(VII)):

"to prepare for the consideration of the Commission at its third session:

(a) a report based on replies to Part I, Section G (Nationality) of the questionnaire on the legal status and treatment of women ..."<sup>1/</sup>

2. As of 1 January 1949 the Secretary-General, in reply to Part I, Section G, of the Questionnaire, had received information concerning the following thirty-four countries: Argentina, Belgium, Brazil, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Egypt, El Salvador, France, Greece, Guatemala, Iceland, India, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Siam, Sweden, Syria, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay, Venezuela, Yugoslavia. Of these, thirty replies came from

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1/ See document E/CN.6/W.1, 23 December 1946.  
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governmental sources<sup>2/</sup> and four from non-governmental sources.<sup>3/</sup> However, several of the replies received do not cover all the points of Part I, Section G (Nationality) of the Questionnaire.

3. The present report, based on these replies, is divided into six chapters, following the sub-divisions of Part I, Section G of the Questionnaire.

Chapter I: Effect of marriage on the nationality of the spouses.

Chapter II: Effect of changes of nationality of the husband during marriage on the nationality of the wife.

Chapter III: Right of the wife to change her nationality independently during marriage.

Chapter IV: Effect of the dissolution of marriage on the nationality of the wife.

Chapter V: Nationality of children when parents are of different nationalities.

Chapter VI: Relation of the nationality of each of the spouses to the eligibility of the family to immigration.

4. In addition, the report contains three annexes:

Annex A: reproduces the questions of Part I, Section G of the Questionnaire together with the replies received. In some cases these have been summarized to facilitate consultation. This annex is sub-divided into chapters corresponding to the six chapters of this report.

Annex B: is a collation of such excerpts from national laws as were made available in the replies.

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<sup>2/</sup> The Government of the United Kingdom stated in its reply that the information given there is equally applicable to the United Kingdom dependencies and overseas territories, as "there is no separate national status in these territories, and the replies to the questions ... submitted in respect of the United Kingdom apply equally to them". Exceptions are noted in the answers to each question respectively concerning Newfoundland, Bechuanaland Protectorate and Swaziland, South Rhodesia, and Basutoland.

The reply from the Government of the United Kingdom was prepared before the passing and coming into force of the British Nationality Act of 1948. The changes brought about by this Act are therefore not shown in the present report. An outline of the new provisions is given in document E/CN.6/79.

<sup>3/</sup> Information concerning Chile was obtained from the Association of University Women of Chile; that concerning Colombia from the American College of Barranquilla; that concerning Egypt from the Women's Christian Temperance Union; and that concerning Syria from the Women's Literary Club of Syria.

Annex C: consists of three charts summarizing the information contained in the report:

- Chart I: "Effects of Marriage upon Nationality of the Spouses", corresponding to chapter I of this report.
- Chart II: "Changes of Nationality during Marriage", corresponding to chapters II and III of the report.
- Chart III: "Changes of Nationality on Dissolution of Marriage", corresponding to chapter IV of the report.
- Chart IV: "Effects of the Married Woman's Nationality on the Nationality of her Children, and of the Nationality of each of the Spouses on the Eligibility of the Family to Immigration", corresponding to chapters V and VI of the report.

It will be noted that the report and Annex C treat the same data from different angles. The report presents these data in a manner showing to what extent there are inequalities in the treatment of husband and wife with regard to nationality (both in case of loss and/or acquisition). Annex C presents the same data in a manner showing under what conditions the wife may lose nationality on the one hand, and acquire it on the other.

## CHAPTER I

### EFFECT OF MARRIAGE ON THE NATIONALITY OF THE SPOUSES<sup>1/</sup>

#### A. Nationality of the husband

5. In no country covered by the replies<sup>2/</sup> does marriage to a woman of a different nationality affect the nationality of the husband either

(a) in his own country, or

(b) in his wife's country.

In the latter, however, his naturalization is sometimes made easier.

This happens in the following four countries:

China, France, Syria, Venezuela.

#### B. Nationality of the wife

Three main systems apply:

6. In certain countries marriage to a husband of a different nationality does not affect the nationality of the wife:

(a) in the country of which the wife is a national: she retains her own nationality.

This is the case in the following fifteen of the countries covered by the replies:

Argentina, Brazil, Canada, Chile, China, Colombia, Cuba, France, Guatemala, New Zealand (except in Western Samoa and Cook Islands), Turkey, United States, Uruguay, Venezuela, Yugoslavia.

In seven of these countries, however, the wife may be released from her former nationality on application:

Canada, China, France, Guatemala, New Zealand, Venezuela, Yugoslavia

(b) in the country of which the husband is a national: she does not acquire his nationality.

This is the case in the following fourteen of the countries covered by the replies:

Argentina, Brazil, Canada, Chile, Colombia, Cuba, Czechoslovakia, El Salvador, Guatemala, New Zealand (except in Western Samoa and Cook Islands), United States, Uruguay, Venezuela, Yugoslavia.

In nine of these countries, however, there are provisions facilitating the acquisition of their nationality by an alien woman marrying a national (either by declaration or special rules for simplified naturalization):

Canada, Cuba, Czechoslovakia, El Salvador, Guatemala, New Zealand, United States, Venezuela, Yugoslavia.

<sup>1/</sup> Questions and replies dealing with this subject are reproduced in Annex A, Chapter I.

<sup>2/</sup> Two countries have not answered this question. These countries are: Argentina and El Salvador.

7. In some countries the nationality of the wife is always affected by her marriage to a husband of a different nationality:

(a) in the country of which she is a national she loses her nationality regardless of the law of her husband's country, whether that law extends his nationality to her, or not.

This is the case in the following seven of the countries covered by the replies:

Egypt, Iceland,<sup>3/</sup> India, New Zealand, (Western Samoa and Cook Islands), Poland, Siam, Union of South Africa.<sup>3/</sup>

(b) in the country of which her husband is a national, she acquires her husband's nationality regardless of the law of her own country, whether that law releases her from her own nationality or not.

This is the case in the following nineteen of the countries covered by the replies:

Belgium, Denmark, Dominican Republic, Egypt, France, Greece, Iceland, India, New Zealand (except in Western Samoa and Cook Islands), Netherlands, Norway, Philippines, Poland, Siam, Sweden, Syria, Turkey, Union of South Africa, United Kingdom.

In four of these countries, however, the married woman has the right under certain conditions of declining her husband's nationality:

Belgium, France, India, Sweden.

8. In some countries the nationality of the wife is affected by her marriage to a husband of a different nationality but only in order to meet the requirements of the law of the other country concerned:

(a) in the country of which she is a national, she is released from her nationality, but only if the law of her husband's country extends to her his nationality.

This is the case in the following thirteen of the countries covered by the replies:

Belgium, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Greece, Netherlands, Norway, Pakistan, Philippines, Sweden, Syria, United Kingdom.

(b) in the country of which her husband is a national, she acquires her husband's nationality, but only if the law of her own country releases her from her nationality.

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<sup>3/</sup> See answer to Question I (1), Annex A, Chapter I.

This is the case in the following two of the countries covered by the replies:

China, Pakistan.

9. It will be noted that both the first system, which is based on the principle of the equality of the spouses, and the second system, which is based on the principle of inequality, may lead either to dual nationality, or to statelessness. The third system, based on the principle of a certain inequality of the spouses has been designed in order to avoid either dual nationality or statelessness.

## CHAPTER II

### EFFECT OF THE HUSBAND'S CHANGES OF NATIONALITY DURING MARRIAGE ON THE NATIONALITY OF THE WIFE<sup>1/</sup>

10. The Questionnaire dealt with the question of the effect of loss of nationality of the husband on the nationality of the wife under three headings:

- "(a) in case of naturalization in a foreign country
- (b) in case of renunciation
- (c) in any other case."

In respect to the effect of the acquisition of a new nationality by the husband on the nationality of the wife, the questionnaire considered the matter under two headings:

- "(a) in case of naturalization
- (b) in other cases."

As the answers are generally the same for the various modes of loss or acquisition, they have been dealt with together in the following paragraphs. Whenever a difference of some importance between them was mentioned, it will be indicated.

11. In some countries the wife's nationality remains unaffected by a change in the husband's nationality during marriage:

- (a) in the country of which she is a national she retains her nationality, though her husband loses his former nationality.

This is the case in the following twenty of the countries covered by the replies:

Argentina, Brazil, Canada,<sup>2/</sup> Chile, China,<sup>2/</sup> Cuba, Czechoslovakia (in Slovakia only and then only when the husband is deprived of his nationality by reason of his entering the service of a foreign country), Dominican Republic, France,<sup>2/</sup> Greece, Guatemala, New Zealand,<sup>2/</sup> Norway (applies only to the husband's loss of nationality by renunciation), Sweden, Syria, Turkey, United Kingdom (in case of renunciation only), United States, Uruguay, Yugoslavia.<sup>2/</sup>

In the following two countries, however, she may renounce the former nationality:

'Canada, Sweden

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<sup>1/</sup> Questions and replies dealing with this subject are reproduced in Annex A, Chapter II.

<sup>2/</sup> See answer to Question II (1), Annex A, Chapter II.

(b) in the country of which her husband becomes a national, the wife does not acquire his new nationality.

This is the case in the following eighteen of the countries covered by the replies:

Belgium, Brazil, Canada, Chile, Colombia, Cuba, France, Guatemala, India, New Zealand, Pakistan, Sweden, Turkey, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

In the following ten of the countries, however, the wife may ask that her husband's nationality be extended to her (by declaration or simplified naturalization):

Belgium, Cuba, France, India, New Zealand, Pakistan, Sweden, United Kingdom, Venezuela, Yugoslavia.

12. In some countries the nationality of the wife is always affected by a change in the husband's nationality during marriage:

(a) in the country of which she is a national she loses her nationality regardless of the law of the country of which her husband has become a national, whether that law extends his new nationality to her or not.

This is the case in the following six of the countries covered by the replies:

Norway (in the case only of a Norwegian husband losing his nationality at the age of twenty-two because he never lived in Norway), Poland, Sweden, (under a rule similar to that of Norway) Union of South Africa, United Kingdom (in case of revocation of husband's naturalization), Yugoslavia.<sup>3/</sup>

In the following two countries, however, the wife may ask to retain her nationality:

Union of South Africa, United Kingdom (in certain cases for British born wives).

(b) in the country of which her husband has become a national the wife acquires his new nationality regardless of the law of the country of which she was a national, whether, according to this law, she loses her nationality or not.

This is the case in the following fourteen of the countries covered by the replies:

China, Czechoslovakia, Denmark, Egypt, Iceland, Netherlands, New Zealand (in case of nationality by change of sovereignty),

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<sup>3/</sup> In one particular case when the husband is deprived of his nationality. See answer to Question II (1), Annex A, Chapter II.



Philippines, Poland, Siam (in case of acquisition by naturalization only), Sweden (in cases other than naturalization),<sup>4/</sup> Syria, Union of South Africa, United Kingdom (in Newfoundland only).

In the following three countries, however, the wife may ask to be exempted from the acquisition of the new nationality:

China, Denmark, Syria.<sup>5/</sup>

13. In some countries, the nationality of the wife is affected by a change in the husband's nationality during marriage, but only in order to meet the requirements of the law of the other country concerned:

(a) in the country of which she is a national she is released from her nationality, but only if the law of the country of which her husband has become a national extends to her his new nationality.

This is the case in the following ten of the countries covered by the replies:

Belgium, Czechoslovakia, Denmark, Iceland, India, Netherlands, Norway, Pakistan, Siam, United Kingdom.

In the following three countries, however, the wife may ask to retain her nationality:

Belgium, Pakistan, United Kingdom.

(b) in the country of which her husband has become a national she acquires her husband's new nationality, but only if the law of her own country releases her from her nationality.

This is the case in the following three of the countries covered by the replies:

Belgium (when the husband becomes Belgian by option), Greece, Norway.<sup>6/</sup>

In all these countries, however, the wife may ask to be exempted from the acquisition of her husband's new nationality.

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<sup>4/</sup> See answer to Question II (1), Annex A, Chapter II.

<sup>5/</sup> See answer to Question II (2), Annex A, Chapter II.

<sup>6/</sup> Ibid.

### CHAPTER III

#### RIGHT OF THE WIFE TO CHANGE HER NATIONALITY INDEPENDENTLY DURING MARRIAGE<sup>1/</sup>

14. In some countries the wife is entitled to change her nationality during marriage without her husband's consent.

(a) by renouncing her former nationality.

This is the case in the following eighteen of the countries covered by the replies:

Brazil, Canada, Chile, China,<sup>2/</sup> Colombia, Cuba, Denmark,<sup>3/</sup> El Salvador, France, Guatemala, Iceland,<sup>3/</sup> New Zealand, Norway, Sweden, Turkey, United States, Uruguay, Yugoslavia.

(b) by acquiring a new nationality through naturalization.

This is the case in the following nineteen of the countries<sup>4/</sup> covered by the replies:

Brazil, Canada, Chile, China, Cuba, Denmark, El Salvador, France, Guatemala, Iceland, India, Norway, Philippines, Siam, Sweden, Turkey, United States, Uruguay, Yugoslavia.

15. In some countries the wife is entitled to change her nationality during marriage, but only with her husband's consent

(a) by renouncing her former nationality.

This is the case in the following two of the countries covered by the replies:

Belgium, Poland.

(b) by acquiring a new nationality through naturalization.

This happens in the following one country: Belgium.

16. In some countries the wife cannot change her nationality during marriage except when her husband changes his nationality simultaneously

(a) by renouncing her former nationality.

This is the case in the following ten of the countries covered by the replies:

Czechoslovakia, Egypt, Greece, India, Netherlands, Philippines, Siam, Syria, Union of South Africa, United Kingdom.

(b) by acquiring a new nationality through naturalization.

This is the case in the following nine of the countries covered by the replies:

Czechoslovakia, Egypt, Greece, Netherlands, New Zealand, Pakistan, Syria, Union of South Africa, United Kingdom.

<sup>1/</sup> Questions and replies dealing with this subject are reproduced in Annex A, Chapter III.

<sup>2/</sup> See answer to Question III (1), Annex A, Chapter III.

<sup>3/</sup> Only upon acquisition of a new nationality.

<sup>4/</sup> This applies to New Zealand and the Union of South Africa in some special cases. See answers to Question III (1), (2), Annex A, Chapter III.

## CHAPTER IV

### EFFECT OF THE DISSOLUTION OF MARRIAGE ON THE NATIONALITY OF THE WIFE<sup>1/</sup>

17. It must be noted that this question does not apply in those countries where the nationality of the wife is not affected by marriage.

On this point, see Chapter I, paragraph 6.

18. In some countries the nationality acquired by the wife through marriage remains unaffected by dissolution of the marriage:

(a) the country of which the wife was a national before marriage does not restore her former nationality to her.

This is the case in the following three of the countries covered by the replies:

El Salvador, New Zealand, Union of South Africa.

(b) the country of which the wife has become a national through marriage does not release her from this nationality.

This is the case in the following eleven of the countries covered by the replies:

Belgium, Denmark, France, India, Netherlands, Norway, Pakistan, Sweden, Syria, Union of South Africa, United Kingdom.<sup>2/</sup>

19. In some countries the nationality acquired by the wife through marriage may be affected by dissolution of the marriage:

(a) the country of which the wife was a national before marriage allows her to reacquire the former nationality after dissolution of marriage.

This is the case in the following seventeen of the countries covered by replies:

Belgium, China, Czechoslovakia, Denmark, Dominican Republic, Egypt, Greece, Guatemala, India, Netherlands, Norway, Philippines, Poland, Sweden, Syria, United Kingdom, Yugoslavia.

It must be noted that whereas in certain countries the reacquisition of the former nationality is achieved by declaration, in others it is effected by simplified naturalization.

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<sup>1/</sup> Questions and replies dealing with this subject will be found in Annex A, Chapter IV

<sup>2/</sup> See answer to Question IV (1) B, Annex A, Chapter IV for Bechuanaland and Swaziland.

A declaration is required in the following ten of the countries covered by the replies:

Belgium,<sup>3/</sup> China,<sup>4/</sup> Czechoslovakia, Dominican Republic,<sup>5/</sup> Egypt, Guatemala,<sup>6/</sup> Netherlands, Philippines, Poland, Syria.<sup>7/</sup>

(b) the country of which the wife has become a national through marriage allows her to be released from this nationality upon dissolution of marriage.

This is the case in the following four of the countries covered by the replies:

Greece, Guatemala, Poland, Turkey.

In two of these countries, however, the wife may be released from her nationality when she is reinstated in her former nationality:

Greece, Turkey.

20. In one country covered by the replies, the wife whose nationality has been affected by marriage is automatically affected by the dissolution of marriage:

Siam

(a) she reacquires automatically the Siamese nationality which she has lost through marriage

(b) she loses automatically the Siamese nationality which she has acquired through marriage.

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<sup>3/</sup> Provided she resided in Belgium or the Belgian Congo during the previous year.

<sup>4/</sup> Provided she loses the nationality acquired by marriage.

<sup>5/</sup> The Dominican woman who has lost her nationality by marriage may reacquire it either during marriage or after its dissolution. In addition to the declaration she must take up residence in the Republic.

<sup>6/</sup> The Guatemalan woman who has lost her nationality by marriage may recover it by declaration either during marriage or after its dissolution.

<sup>7/</sup> If resident in Syria.

## CHAPTER V

NATIONALITY OF CHILDREN WHEN PARENTS ARE OF DIFFERENT NATIONALITIES <sup>1/</sup>A. Right of the mother to transmit her nationality

21. In some countries the wife's right to transmit her nationality to the children of the marriage is equal to that of the husband.

This is the case in the following eight of the countries covered by the replies: Argentina, Brazil, El Salvador, Guatemala, United States, Uruguay, Venezuela, Yugoslavia.

It should be noted, however, that in several of the countries of this list neither the husband nor the wife transmits his or her nationality to the children, as in these countries the nationality of a person is determined in accordance with the place of his birth (system of jus soli).

This appears in the replies of the following three countries: Argentina, Brazil, Guatemala.

22. In no country is the wife's right greater than her husband's.

23. In some countries the right of the wife is lesser than her husband's. <sup>2/</sup>

This is the case in the following six of the countries covered by the replies: China, Czechoslovakia, France, Greece, Netherlands, Norway.

24. In some countries the wife does not transmit her nationality to the children.

This is the case in the following sixteen of the countries covered by the replies: Belgium, Canada, Denmark, Dominican Republic, Iceland, India, New Zealand, Pakistan, Philippines, Poland, Siam, Sweden, Syria, Turkey, Union of South Africa, United Kingdom.

B. Option of the children

25. Some countries give children a voice in the determination of their nationality

(a) during minority

This is the case in the following four of the countries covered by the replies: Belgium, France, <sup>3/</sup> Iceland, United States.

(b) upon attaining majority

Such is the case in the following twelve of the countries covered by the replies: Belgium, Colombia, Cuba, El Salvador, France, <sup>3/</sup> Iceland, India, Philippines, Poland, Syria, United States, Venezuela.

<sup>1/</sup> Questions and replies dealing with this subject will be found in Annex A, Chapter V.

<sup>2/</sup> It should be noted that the conditions in which the wife's nationality is taken into account and the reasons for which it is taken into account vary considerably from one country to another of this group.

<sup>3/</sup> In France, the right of option granted during minority and upon attaining majority does not apply to the same cases. See answer to question V, Annex, A, Chapter V.

## CHAPTER VI

### EFFECT OF THE NATIONALITY OF EACH OF THE SPOUSES ON THE ELIGIBILITY OF THE FAMILY TO IMMIGRATION<sup>1/</sup>

26. In some countries, the husband's nationality facilitates the admission to immigration of:

(a) his alien wife and children<sup>2/</sup>

This is the case in the following three of the countries covered by the replies: Brazil, Guatemala, United States (for wife and minor children).

(b) his alien parents

This is the case in one country of those covered by the replies; namely the United States.

It should, however, be noted that certain countries stated in their replies that the alien wife, children and in some cases parents of a husband who is a national are, in fact, admitted to immigration more easily, though the law does not contain any provision to that effect. (See replies of China, Pakistan, Sweden, United Kingdom).

27. In some countries the woman's nationality facilitates the admission to immigration of:

(a) her alien husband and children

Such is the case in the following four of the countries covered by the replies: Brazil, Guatemala (for children only), Philippines, United States.<sup>3/</sup>

(b) her alien parents

This is the case in one country only of those covered by the replies: the United States.<sup>3/</sup>

It should be noted, however, that certain countries stated in their replies that alien husband, children and parents of a wife who is a national are, in fact, admitted to immigration more easily, though the law does not contain any provision to that effect. (See replies of Belgium, China, Guatemala, Pakistan, Sweden, United Kingdom).

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<sup>1/</sup> Questions and replies dealing with this subject will be found in Annex A, Chapter VI.

<sup>2/</sup> It must be remembered that in many countries the wife and children follow the nationality of the husband. The question, therefore, does not arise.

<sup>3/</sup> For details, see answer to Question VI, Annex A, Chapter VI.

ANNEX A

REPLIES TO PART I, SECTION G (NATIONALITY) OF THE QUESTIONNAIRE ON  
THE LEGAL STATUS AND TREATMENT OF WOMEN

Chapter I: Effect of Marriage on the Nationality of the Spouses

Question I (1)

Does a woman national lose her nationality by marriage to an alien

- (a) automatically with or without the right of resuming her nationality within a certain period after marriage
- (b) subject to her choice
- (c) subject to other requirements being fulfilled (state these)
- (d) under no circumstances whatsoever.

Argentina: No.

Belgium: Yes, provided her husband's nationality is extended to her by his own law. The wife has the right to retain her Belgian nationality by a declaration presented within six months following the marriage.

Brazil: No.

Canada: No, unless she files a declaration of renunciation.

Chile: No.

China: No, unless she files an application to that effect with the Ministry of Interior.

Colombia: No.

Cuba: No.

Czechoslovakia: Yes, if her husband's nationality is extended to her by his own law. She may be authorized to retain her Czechoslovak nationality by application to that effect submitted before marriage, or not later than three months after, with the Ministry of the Interior.

Denmark: Yes, if her husband's nationality is extended to her by his own law. Moreover, if she was Danish by birth, she would lose in that case her nationality of origin only on leaving Denmark.

Dominican Republic: "...a Dominican woman married to an alien may acquire her husband's nationality and will then lose her Dominican nationality of origin. This loss of her nationality of origin by a married woman as a result of her acquiring her alien husband's nationality is an automatic process, and no exceptions are provided....."

/El Salvador

- El Salvador: Yes, provided her husband's nationality is extended to her by his own law.
- France: No. She may, however, renounce her French nationality by formal declaration before marriage and provided her husband's nationality is extended to her by his own law.
- Greece: Yes, automatically, provided her husband's nationality is extended to her by his own law.
- Guatemala: Yes, provided she so chooses.
- Iceland: Yes, but only upon loss of domicile in Iceland.
- India: Yes, with the right of resuming British nationality within twelve months of the date she acquires another nationality by marriage.
- Netherlands: Yes, automatically, unless her husband is a stateless person or a foreigner whose nationality she does not or cannot acquire through such marriage.
- New Zealand: In New Zealand, No. If she has by reason of her marriage acquired the nationality of her alien husband according to his national law, she may at any time renounce British nationality by making a declaration of alienage. In Western Samoa and Cook Islands, yes, automatically.
- Norway: Yes, if marriage makes her a citizen of another country. This, however, takes place only when she leaves Norway.
- Pakistan: No, unless she acquires the nationality of her husband under the nationality law of his country. In the latter case, she can retain her British nationality by making a declaration within twelve months of her marriage to the effect that she desires to retain her British nationality.
- Philippines: Yes, automatically, provided her husband's nationality is extended to her under his own law.
- Poland: Yes, automatically.
- Siam: Yes, automatically, without the right of resuming her nationality within a certain period after marriage.
- Sweden: No, unless she acquires citizenship in her husband's country and takes up residence in that country.
- Syria: Yes, provided that the law of her husband's country obliges her to take his nationality.
- Turkey: No.
- Union of South Africa: Yes, automatically. However, the Minister may grant a wife who was a British subject before marriage a certificate of naturalization if her husband is an alien of a state at war with His Majesty.



- United Kingdom: Yes, but only if by reason of her marriage she acquires the nationality of her husband. No automatic resumption but see Section III (2) (a).
- United States of America: (a) No, see reply to section (d).  
(b) (c) Not applicable.  
(d) Under the present law, a woman citizen does not lose her United States nationality by marriage to an alien. Citizens who under former provisions of law lost their United States nationality through marriage to certain types of aliens, may be repatriated by abridged procedure. (See 54 Statute 1146; S.U.S.C. 717 (b)).
- Uruguay: No. In no case does a woman lose her nationality by leaving the country and marrying an alien.
- Venezuela: A Venezuelan woman marrying an alien shall retain her nationality unless she declares her wish to the contrary in the marriage articles and provided that such a declaration enables her to acquire the husband's nationality under the laws of his country.
- Yugoslavia: No. She may, however, on application request release from citizenship if she fulfils the conditions provided in Article 19 of the Yugoslav Citizenship Law: that she has reached the age of eighteen; that she has fulfilled her obligations toward the country as well as her public and social obligations to be taken care of in the public interest; and that she proves that she has been or will be admitted to foreign citizenship.

Question I (2)

If an alien woman marries a national does she

- (a) become a national
  - (i) automatically with or without the right of renouncing her husband's nationality within a certain period after marriage
  - (ii) subject to her choice
  - (iii) subject to other requirements being fulfilled (state these).
- (b) have to seek naturalization independently. If so, does she enjoy any exemptions from the ordinary naturalization requirements.

Argentina: No.

/Belgium:

- Belgium: (a) Yes, automatically. However, she has the right to renounce her husband's nationality within six months after marriage provided she demonstrates that she has retained or will thereby regain her foreign nationality.
- Brazil: (a) No.  
(b) Yes.
- Canada: (a) Yes, if she so elects and is resident in Canada.  
(b) Yes, the alien woman marrying a Canadian may apply for citizenship after one year's residence and need not file a declaration of intention.
- Chile: No. Chilean nationality is not gained by marriage.
- China: Yes, if she does not retain her nationality under her own national law. (The alien woman acquiring the husband's citizenship by marriage to a national enjoys certain exemptions from the ordinary naturalization requirements).<sup>1/</sup>
- Colombia: (a) No.  
(b) Yes, without any exemption from the ordinary naturalization requirements.
- Cuba: (a) No.  
(b) Yes.
- Czechoslovakia: (a) Yes, if on application made by her, the Ministry of the Interior gives its consent. Application must be presented before the marriage, or not later than three months thereafter. The nationality is considered acquired as of the date of marriage.  
(b) See under (a).
- Denmark: Yes, automatically.
- Dominican Republic: "An alien woman married to a Dominican acquires Dominican nationality in accordance with Article 12 of the Civil Code; this takes place automatically and requires no express declaration."
- Egypt: (a) Yes, automatically.
- El Salvador: No. She may, however, acquire Salvadorean nationality by special request.

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<sup>1/</sup> Additional information furnished by Mrs. New in collaboration with a Committee on the Legal Status of Women of the Chinese Association of University Women.

- France: Yes, automatically. She may, however, retain her nationality by special request presented before marriage, and if her national law allows her to retain her nationality of origin. Moreover, within the six months following marriage the French government may by decree debar her from the acquisition of French nationality.
- Greece: Yes, automatically if the marriage has been celebrated according to the rites of the Greek Orthodox Church.
- Guatemala: Yes, subject to her choice.
- Iceland: Yes, automatically, without the right of renouncing her husband's nationality within a certain period after marriage.
- India: Yes, she may, however, renounce her husband's British nationality.
- Netherlands: Yes, automatically. She may, however, renounce Dutch nationality, within a certain period after dissolution of the marriage.
- New Zealand: (a) No, since 9 October 1946. In Western Samoa and the Cook Islands, yes, automatically.  
(b) Yes, since 9 October 1946. A certificate of naturalization may be granted to such a woman, notwithstanding that the usual requirements of the naturalization law concerning periods of residence, character, knowledge of English and intended future place of residence, have not been complied with. In Western Samoa and Cook Islands, no.
- Norway: Yes, automatically, without the right of refusing her husband's nationality.
- Pakistan: Yes, automatically, unless she retains her original nationality under the nationality law of her country and if she so desires.
- Philippines: (a) Yes, automatically, if she might herself be lawfully naturalized.  
(b) She does not have to seek naturalization independently.
- Poland: Yes, automatically.
- Siam: Yes, automatically, without the right of renouncing her husband's nationality within a certain period after marriage.
- Sweden: Yes, automatically. As to renouncing her husband's nationality within a certain period after marriage there is a general provision according to which the King may upon application, release a person from Swedish nationality. Such application can be made by a married woman independently.

- Syria: Yes, automatically.
- Turkey: Yes, automatically.
- Union of (a) Yes, automatically
- South Africa: (b) No.
- United Kingdom: (a) (i) Yes, without right of renouncing her husband's nationality automatically.
- (ii) No.
- (iii) No.
- (b) No.

In Newfoundland, the wife of an alien is deemed to be an alien whether or not she acquired the nationality of her husband by reason of her marriage, subject to her right to retain her British nationality by making a declaration if her husband becomes an alien after the marriage.

- United States (a) (i) No.
- of America: (ii) No.
- (iii) No.

(b) An alien spouse of either sex must seek naturalization independently. If the person is eligible for naturalization certain exemptions are applicable in such cases; principally that, as to marriage on or after a specified date (or upon the naturalization of the other spouse after that date), no declaration of intention is necessary; also, the usual five-year residence period in the United States required before filing of the petition is reduced as follows: one year for marriages contracted between 21 September 1922 and 24 May 1934, and three years for marriages contracted after 24 May 1934.

- Uruguay: No. An alien woman does not become a national by marrying a national.

Venezuela: An alien woman who marries a Venezuela man will be considered a naturalized Venezuelan subject provided that she is resident or takes up residence in Venezuela and that in the marriage articles or subsequently in a public instrument she expresses her wish to become a Venezuelan subject and is accepted as such. The same would apply to the alien wife of a Venezuelan subject if under the laws of her own country she loses her original nationality as a result of the marriage.

/Yugoslavia:

- Yugoslavia: (a) No.  
(b) Yes, but in this case, the only condition to be fulfilled is that it may be concluded from the behaviour of the applicant that she will be a loyal citizen of the Federal People's Republic of Yugoslavia.

Question I (3)

Does the law in regard to gaining, or losing, nationality by marriage differ as regards men

- Argentina: No reply to this question.
- Belgium: Marriage affects the nationality of the wife only.
- Brazil: The question is not applicable because Brazilian law does not provide for gain or loss of nationality through marriage.
- Canada: Yes. The process for an alien woman gaining Canadian nationality following marriage to a Canadian citizen is simplified. A Canadian woman cannot lose her nationality by marriage.
- Chile: This law does not exist in Chile.
- China: The law differs somewhat in the case of men: A male national marrying an alien woman does not relinquish his own nor assume his wife's nationality; neither does a male alien marrying a Chinese woman thereby automatically acquire Chinese citizenship; but if doing so eventually is entitled to a curtailment by two years of the prescribed term of five years of prior residence.<sup>1/</sup>
- Colombia: No.
- Cuba: No.
- Czechoslovakia: Marriage has no influence on the nationality of the husband.
- Denmark: Yes, the citizenship of a man is not changed through marriage.
- Dominican Republic: No.
- Egypt: Yes, men keep their nationality, women lose theirs upon marriage to an alien.
- El Salvador: No reply to this question.
- France: In principle, marriage has no influence on nationality. The alien spouse of a French-born wife, however, enjoys

<sup>1/</sup> Information furnished by Mrs. New in collaboration with a Committee on the Legal Status of Women of the Chinese Association of University Women.  
/a reduction

a reduction of the residence requirements for naturalization to two years.

- Greece: No.
- Guatemala: Yes, marriage can only affect the nationality of the woman if she wishes.
- Iceland: An alien who marries an Icelandic woman does not acquire Icelandic nationality.
- India: Yes.
- Netherlands: Yes, an alien does not acquire Dutch nationality by marriage to a Dutch woman.
- New Zealand: Yes. Marriage has no effect on the man's nationality. (The position in Western Samoa and the Cook Islands is the same as in New Zealand).
- Norway: Yes. A woman's nationality as a general rule follows that of the man, but never vice-versa.
- Pakistan: The law provides different conditions for gaining or losing nationality by men and women. A Pakistan national does not lose his nationality by virtue of his marriage with an alien woman, and an alien does not acquire British nationality by virtue of marriage with a Pakistan woman.
- Philippines: Yes, a man does not lose his nationality by marriage.
- Poland: Yes.
- Siam: Yes.
- Sweden: Yes, an alien who marries a Swedish woman does not thereby acquire Swedish citizenship.
- Syria: Yes. An alien marrying a Syrian woman may become a naturalized Syrian after staying in Syrian territory for one year without interruption.
- Turkey: Yes, women of foreign nationality who marry Turkish men automatically become Turkish citizens but there is no such provision for men of foreign nationality who marry Turkish women.
- Union of South Africa: A man's nationality is not affected by his marriage.
- United Kingdom: Yes.
- United States of America: No, not under the present law.
- Uruguay: Not applicable.

/Yugoslavia:

Yugoslavia: The citizenship law of the Federal People's Republic of Yugoslavia does not distinguish between men and women for the acquisition and loss of citizenship.

Venezuela: No. The alien man who marries a Venezuelan woman, provided that she is resident or takes up residence in Venezuela and that in the marriage articles or subsequently in a public instrument he expresses his wish to become a Venezuelan subject and is accepted as such will be considered as a naturalized Venezuelan subject.

Chapter II: Effect of the husband's changes of nationality  
during marriage on the nationality of the wife

Question II (1)

If a husband loses his nationality after marriage, does this loss extend to his wife

- (a) in case of naturalization in a foreign country
- (b) in case of renunciation
- (c) in any other case

If so, can the wife claim to be exempted.

- Argentina: (a) No.
- Belgium: (a) Yes, if the husband's new nationality is extended to his wife by the foreign law.  
(b) Yes, provided she already possesses the nationality which will thereupon remain that of the husband.  
(c) Yes, if being Belgium born she married a stateless person who becomes a national of a foreign state, provided her husband's new nationality is extended to her. If she is Belgian otherwise than by a former marriage, she may within six months of the date on which the husband changed his nationality ask to retain her Belgian nationality.
- Brazil: No.
- Canada: (a) No, except if the wife "became a British subject by reason only of her marriage...the Governor in Council may direct that said wife...shall cease to be a Canadian citizen."  
(b) No, but the "wife of a person who has ceased to be a Canadian citizen.....may within six months thereafter make a declaration renouncing her Canadian citizenship."  
(c) No.
- Chile: No.
- China: No, however, where the husband's Chinese nationality was originally acquired by naturalization and is subsequently relinquished in favour of some alien nationality, the wife is not exempt from the loss of Chinese nationality.<sup>1/</sup>
- Colombia: No answer to this question.
- Cuba: No.
- Czechoslovakia: (a) (b) Yes. Release from Czechoslovak nationality and acquisition of foreign nationality applies to the wife, too. Under the former Hungarian law (1879) which is in force in Slovakia, it was a condition that the wife had actually left

<sup>1/</sup> Information furnished by Mrs. New in collaboration with a Committee on the Status of Women of the Chinese Association of University Women.  
/the country



the country and this fact was specifically recorded in the document of release.

(c) Under Slovak law the wife is not affected by the husband's loss of nationality in a case in which the authorities have declared that the husband has lost his nationality by reason of his entering the service of a foreign country. The wife cannot claim exemption from the loss of nationality. A married woman cannot make an independent declaration with a view to changing her nationality, e.g. the right of option.

Denmark:

(a) No, unless she also obtains foreign citizenship.

(b) Danish law does not provide for renunciation of citizenship. Release of foreign citizenship does not include the wife, who therefore in each case must be released independently.

(c) Yes, the wife cannot be exempted.

Dominican

Republic:

Since the Constitution allows a married Dominican woman to retain her nationality of origin, this status is not affected when her husband adopts a different nationality; but she may acquire her husband's new nationality by an express declaration in accordance with Article 8, Section 4, paragraph 1 of the Constitution.

Egypt:

No, the wife can claim to be exempted.

El Salvador:

No reply to this question.

France:

Loss of nationality is individual in principle. Withdrawal of French nationality as a penalty may be extended to the wife if she was foreign born and to minor children.

Greece:

(a) (b) (c) No.

Guatemala:

(a) (b) (c) No.

Iceland:

(a) Yes, if his naturalization in a foreign country extends also to his wife.

India:

(a) (b) (c) No, unless by reason of the acquisition of a new nationality by the husband the wife also acquires that nationality.

The wife cannot claim exemption.

Netherlands:

(a) Yes, unless she does not or cannot acquire a foreign nationality by the naturalization of her husband.

(b) Yes.

(c) Yes.

New Zealand:

(a) No. Where a certificate of naturalization granted to a man is revoked, that revocation does not automatically extend to his wife and minor children, but the Minister of Internal Affairs has power to specially direct that they be included in that revocation.

/(b) No.

(b) No.

(c) The loss extends 'automatically' to the wife only in the case in which the inhabitants of a territory are generally involved. In that case, the wife cannot claim to be exempted. Where a British subject born outside His Majesty's dominions forfeits British nationality through failure to make the necessary declaration of retention in his twenty-second year, this loss does not extend to his wife. (The position in Western Samoa and the Cook Islands is the same as in New Zealand).

Norway:

(a) Yes, if naturalization also applies to the woman. Loss of citizenship, however, takes place only when she leaves the country.

(b) No.

(c) If the husband has never lived in the country he loses his Norwegian citizenship upon reaching the age of twenty-two years, unless he obtains permission to retain it. His wife also loses her Norwegian citizenship in that case.

Pakistan:

The woman who is a British subject does not cease to be a British subject only by reason of the fact that her husband during the continuance of his marriage ceased to be a British subject, unless by reason of the acquisition by her husband of a new nationality she also acquires that nationality.

In that case, it is open to her to make a declaration within twelve months from the date on which she so acquired that nationality that she desires to retain British nationality, and thereupon she shall be deemed to have remained a British subject.

Philippines:

No reply to this question.

Poland:

(a) (b) (c) Yes.

Siam:

(a) It depends upon the law of the foreign country.

(b) Yes.

(c) No reply.

The wife cannot claim exemption.

Sweden:

(a) No. The wife's citizenship is independent of that of her husband.

(b) Swedish citizenship can be renounced only in cases referred to in Article 2 of the Citizenship Act, 1924.

/However,

However, there is a general provision according to which the King may upon application release a person from Swedish citizenship. Such application can be made by a married woman independently.

(c) In the case of a Swedish husband who loses his citizenship on reaching twenty-two years of age because he has never resided in Sweden, the loss extends to his wife.

Syria:

No.

Turkey:

(a) (b) (c) No.

Union of South  
Africa:

(a) (b) (c) Yes, provided that where a man ceases during the continuance of the marriage to be a British subject it shall be lawful for a wife to make a declaration that she desires to retain British nationality and thereupon she shall in the Union be deemed to remain a British subject.

United Kingdom:

(a) Yes, if she also acquires her husband's nationality by reason of his acquisition of it, but subject to her being allowed to make a declaration to retain her British nationality.

(b) No.

(c) If her husband's naturalization certificate is revoked and her name is included in the revocation order. A special exception, available in certain circumstances to British born wives, is provided. (See British Nationality and Status of Aliens Act 1914-33, Section 7 (A) (1).)

United States  
of America:

(a) (b) (c) No. Expatriation results solely from the individual's performance of acts or fulfillment of conditions specified in the law (8 U.S.C. 808). Revocation of the husband's naturalization, except for actual fraud, has no effect on the rights of the wife and minor children.

Uruguay:

No.

Venezuela:

No answer to this question.

Yugoslavia:

(a) (b) No.

The only exceptional case in which the loss of the husband's citizenship extends to his wife and his children if he is being deprived of the citizenship of the Federal People's Republic of Yugoslavia, is when he is of the nationality of those peoples whose countries had been at war against the peoples of the FPRY, who during this war or in connection with it prior to the war contravened their citizens duties by their disloyal attitude against the interests of the

/peoples

peoples or of the state of the FPRY. However, if the woman proves that she had no connection with her husband - a disloyal former citizen - and that her personal behaviour was correct or that she by nationality belongs to some of the peoples of the FPRY, in this case the loss will not extend to her.

Question II (2)

If an alien husband acquires the nationality of your country after marriage, does this acquisition extend to his wife.

(a) in case of naturalization

(b) in other cases

If so, can the wife claim to be exempted.

If not, can she claim to be included in the acquisition or to be naturalized subject to certain exemptions from the ordinary requirements.

Argentina: No answer to this question.

Belgium: (a) Not automatically. If she so wishes, she must within six months following the registration of the naturalization act formally declare her intention of claiming benefit of the measure.

(b) The foreign born woman whose husband becomes Belgian by option follows the husband's condition. However, she may renounce Belgian nationality by formal declaration within six months from the date her husband acquired Belgian nationality, provided she proves possession of a foreign nationality or that she will thereby regain it. The foreign born woman whose husband becomes Belgian by naturalization may present a joint application for naturalization and in this case will be exempt from conditions otherwise applicable to applications for naturalization.

Brazil: No

Canada: (a) No.

(b) There is no other way for an alien to acquire citizenship. The question regarding the possibility for the wife to claim exemption is not applicable.

Chile: No.

China: (a) Yes, but she may claim exemption.

(b) There is no provision regarding the wife when the husband is naturalized through his adoption by Chinese

/citizens

citizens. She may claim to be included and apply for a naturalization on grounds of her husband's naturalization.<sup>1/</sup>

Colombia:

(a) No.

(b) No answer to this question.

Cuba:

No. She may claim to be included in the acquisition or to be naturalized subject to certain exemptions from the ordinary requirements.

Czechoslovakia:

(a) Yes.

(b) The wife cannot claim to be exempted.

Denmark:

(a) Yes, but she can be exempted.

(b) Yes.

She cannot be exempted.

Dominican

Republic:

"Under the Constitution no person, being a Dominican national, may renounce his or her nationality, and hence the fact that a Dominican husband declares that he renounces Dominican nationality cannot affect his wife. A Dominican woman married to an alien may acquire her husband's nationality and his consent is not required."

Egypt:

(a) Yes.

She cannot be exempted.

El Salvador:

No answers to these questions.

France:

Acquisition of French nationality by the husband does not extend to the wife. She must apply for naturalization jointly with her husband, and need not comply with the five-year residence requirement.

Greece:

(a) Yes.

(b) Yes.

She may, however, renounce the Greek nationality within a year after her husband's naturalization by declaration to the local authorities of her residence. She must in this case establish that she has retained her former nationality.

Guatemala:

No.

She cannot claim to be included in the acquisition or be naturalized subject to certain exemptions from the ordinary requirements.

Iceland:

Yes

India:

No, unless she makes a declaration of acquisition of British nationality within one year from the date of her husband's naturalization.

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<sup>1/</sup> Information furnished by Mrs. New in collaboration with a Committee on the Legal Status of Women of the Chinese Association of University Women.

Netherlands:

Yes.

There is in these cases no exception to the rule that a woman during her marriage has the nationality of her husband.

New Zealand:

(a) No. She may, however, make an independent application for a certificate of naturalization, and this may be granted to her notwithstanding that the usual requirements of the law governing naturalization have not been complied with.

(b) Yes, in the case in which the inhabitants of a territory coming under British sovereignty are generally involved. The wife cannot claim to be exempted. (The position in Western Samoa and the Cook Islands is the same as in New Zealand).

Norway:

(a) Citizenship should also be granted to the wife unless reasons exist for exceptions to be made. The woman shall, as a general rule, have the opportunity to declare her views in the matter before the application is decided. In such cases, a pledge of loyalty must also be made by the wife.

(b) Yes.

Pakistan:

If an alien acquires British nationality by naturalization, his wife, if not a British subject, does not acquire British nationality only by virtue of her marriage, unless within twelve months from the date of her husband's naturalization she makes a declaration that she desires to acquire British nationality.

Philippines:

(a) Yes.

(b) Yes.

The wife cannot claim to be exempted because she follows the nationality of her husband, unless she is not qualified to be naturalized herself.

Poland:

(a) Yes.

(b) Yes.

Siam:

(a) Yes.

(b) No.

The wife cannot claim to be exempted.

Sweden:

(a) The King decides in each individual case whether the naturalization should extend to the wife. As a rule, she is offered an opportunity to express her wishes in this

/respect. If

respect. If she remains a citizen of a foreign country despite her husband's naturalization, Swedish citizenship cannot be given to her unless she has consented thereto.

(b) Yes, when husband acquires Swedish nationality upon reaching twenty-two years by reason of birth in Sweden and permanent residence there, the wife acquires Swedish nationality if she is resident in Sweden or takes up residence in this country while her marriage still remains undissolved and while her husband is still a Swedish citizen.

She cannot claim to be exempted.

Syria: Yes. She retains, however, her right to resume her original nationality as per Article 4 of the Nationality Law.

Turkey: No.

Union of Yes.

South Africa: The lawful wife cannot claim to be exempted.

United Kingdom: (a) Yes, subject to her opting to make a declaration of acquisition of British nationality.

In Newfoundland when an alien becomes a British subject, his wife is deemed to be a British subject also. There is no provision in the Newfoundland Act similar to Section 10, paragraph 5 of the United Kingdom Act.

(b) There are no other cases.

United States of America: (a) (b) No. Either wives or husbands in such cases may be naturalized individually under facilitated procedure.

Uruguay: No.

Venezuela: (a) The alien woman whose husband acquires Venezuelan nationality, from the time when she declares in proper form before the appropriate authorities her desire to become a Venezuelan subject and her explicit renunciation of her former nationality will be considered as a naturalized Venezuelan subject.

Yugoslavia: No. If the wife wishes to acquire the citizenship of the Federal People's Republic of Yugoslavia her husband acquired, she has the right to apply for the admittance of citizenship either separately or by signing the application submitted by her husband. If she applies after her husband has already acquired citizenship, she will be naturalized similarly as in the case of a woman foreigner marrying a citizen of the FPRY.

Chapter III: Right of the Wife to Change Her Nationality  
Independently During Marriage

Question III (1)

Can a Married Woman Renounce Her Nationality in Her Own Right

- (a) independently
- (b) with her husband's consent.

Argentina: No answer to this question.

Belgium: She cannot renounce Belgian nationality without her husband's authorization.

Brazil: (a) Yes.

Canada: (a) Yes.

Chile: (a) Yes.

China: A married woman can renounce her nationality in her own right by permission of the Ministry of the Interior.<sup>1/</sup>

Colombia: (a) Yes.

Cuba: (a) Yes.

Czechoslovakia: (a) No.

Denmark: Renunciation of Danish citizenship is not known, but a person who is a foreign citizen can be released from his relations as a citizen of Denmark. The rules are the same for men and women. The husband's consent is not necessary for the release of the wife.

Dominican Republic: "...no Dominican national of either sex can claim foreign nationality, and the law may introduce penalties for persons who, whilst being Dominican, claim foreign nationality whether by naturalization, marriage or for any other reason as provided in Article 8, Section 4, paragraph 1 of the Constitution. However, as an exception, a Dominican woman married to an alien may acquire her husband's nationality and will then lose her Dominican nationality of origin. This loss of her nationality of origin by a married woman as a result of her acquiring her alien husband's nationality is an automatic process and no exceptions are provided."

Egypt: She loses her nationality on marriage to an alien.

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<sup>1/</sup> Information furnished by Mrs. New in collaboration with a Committee on the Legal Status and Treatment of Women of the Chinese Association of University Women.

/El Salvador:



- El Salvador: (a) Yes.
- France: The married woman need not be authorized by her husband in matters of nationality.
- Greece: (a) No.  
(b) No.
- Guatemala: (a) Yes.
- Iceland: (a) Only if she has acquired the nationality of a foreign country.
- India: (a) No.  
(b) No.
- Netherlands: (a) No.  
(b) No.
- New Zealand: (a) Yes, where any right of renunciation exists, but not otherwise.  
(b) Husband's consent is not necessary and cannot affect the issue.  
(The position in Western Samoa and the Cook Islands is the same in New Zealand.)
- Norway: (a) Yes.
- Pakistan: A British-born woman who acquires alien nationality by virtue of her marriage with an alien can reacquire British nationality by naturalization independently of her husband.
- Philippines: (a) No.  
(b) No, unless the husband himself renounces his nationality.
- Poland: (a) Yes.  
(b) Yes.
- Siam: (a) No.  
(b) No.
- Sweden: (b) Swedish citizenship can be renounced only in such cases as are referred to in Article 2 of the Citizenship Act of 1924. However, there is a general provision, according to which the King may upon application release a subject from Swedish citizenship. Such application can be made independently.
- Syria: No.
- Turkey: 1. (a) Yes.  
(b) Husband's consent is not required.
- Union of South Africa: (a) No.  
(b) No.

/United Kingdom:

- United Kingdom: (a) (b) No.
- United States of America: (a) Yes. Under certain conditions prescribed by law, a citizen may voluntarily renounce her nationality before a designated official. A person may forfeit citizenship by certain specified acts, such as an unauthorized extended residence outside the United States or by voluntarily obtaining naturalization in another country.  
(b) The husband's consent is not required.
- Uruguay: A married woman who is an alien but legally a citizen of Uruguay may renounce her citizenship by subsequent naturalization independently of her husband.
- Venezuela: No answer to this question.
- Yugoslavia: (a) The married woman may renounce the citizenship of the Federal People's Republic of Yugoslavia independently of the wish of her husband if she complies with legal conditions.
- Question III (2)
- Can the Alien Wife of an Alien Husband be Naturalized in Her Own Right
- (a) independently
- (b) with her husband's consent
- Argentina: No reply to this question.
- Belgium: (a) Every person enjoying full legal capacity and complying with legal age and residence requirements may apply for naturalization.  
(b) A foreign married woman may ask for naturalization with her husband's consent even if he retains his nationality.
- Brazil: (a) Yes.
- Canada: (a) Yes.  
(b) Not necessary.
- Chile: (a) Yes.
- China: (a) The alien wife of an alien husband can be naturalized in her own right provided that she can fulfill all the requirements of the law.<sup>1/</sup>
- Colombia: No answer to this question.
- Cuba: (a) Yes.

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<sup>1/</sup> Information given in the report presented by Mrs. New prepared in collaboration with a Committee on the Legal Status and Treatment of Women of the Chinese Association of University Women.

Czechoslovakia: (a) No. She can be naturalized only with her husband.

Denmark: (a) Yes.

Dominican Republic: No reply to this question.

Egypt: No.

El Salvador: (a) Yes.

France: The married woman need not be authorized by her husband in matters of nationality.

Greece: (a) No.  
(b) No.

Guatemala: No answer to this question. There are no provisions on this subject. A woman's liberty and independence are based on the fact that there are no limitations for her, and that naturalization is treated by the law without distinction as to sex.

Iceland: (a) Yes.

India: Yes. Section 27, paragraph 1 of the Act of the Nationality and Status of Aliens Act 1914 defines an alien as "a person who is not a British subject" without reference to marriage and the wife of an alien is also an alien.

Netherlands: (a) No.  
(b) No.

New Zealand: (a) No, except in the case where the Minister of Internal Affairs is satisfied that the applicant is the subject of a state at war with His Majesty and that the applicant was at birth a British subject.  
(b) Husband's consent is not necessary, and cannot affect the issue.  
(The position is the same in Western Samoa and Cook Islands as in New Zealand.)

Norway: (a) Yes.

Pakistan: There is no provision for naturalization of an alien woman independently of her husband in the British Nationality and Status of Aliens Act of 1914.

Philippines: (a) There is no legal disqualification against the naturalization of an alien wife of an alien husband either independently of her husband or  
(b) with her husband's consent.

Poland: No answer to this question.

/Siam:

Siam: (a) (b) Yes, at the discretion of the Government.

Sweden: (a) Yes.

(b) Her husband's consent is not required.

Syria: No.

Turkey: (a) (b) Her husband's consent is not necessary.

Union of South Africa: Yes, but only in special cases. Section 12 of Act No. 19 of 1926 provides: "The wife of a British subject shall in the Union be deemed to be a British subject and the wife of an alien in the Union shall be deemed to be an alien.

"Provided that where a man ceases during the continuance of his marriage to be a British subject it shall be lawful for his wife to make a declaration that she desires to retain British nationality and thereupon she shall in the Union be deemed to be a British subject.

"Provided further that where an alien is a subject of a state at war with His Majesty it shall be lawful for his wife if she was a British subject prior to her marriage to such alien to make a declaration that she desires to resume British nationality and thereupon the Minister, if he is satisfied that it is desirable that she be permitted to do so, may grant her a certificate of naturalization for any period which he may deem desirable and at the termination thereof for an extension of that period if considered necessary."

United Kingdom: (a) No, except as provided in Section 10 (6) of the British Nationality and Status of Aliens Act of 1914/33.  
(b) No.

Where naturalization or revocation of naturalization is involved the Governor of the territory, or in the case of Newfoundland, the Commissioner for Home Affairs and Education, grants or revokes the certificate subject, except in the case of Newfoundland, to the approval of the Secretary of State, in accordance with Section 8 of the British Nationality and Status of Aliens Act, 1914

United States of America: (a) Yes.

(b) The husband's consent is not required.

Uruguay: (a) Yes.

Venezuela: No answer to this question.

/Yugoslavia:

Yugoslavia: The woman foreigner whose husband is also a foreigner, may be naturalized independently of the wish of her husband if she complies with the conditions stipulated in the citizenship law. The citizenship law of the Federal People's Republic of Yugoslavia does not in this respect make any difference either between men and women or between an unmarried and a married woman foreigner.

Chapter IV: Effect of the Dissolution of Marriage  
on the Nationality of the Wife

Question IV (1) A

Upon the Marriage being Dissolved does a Wife

(a) Re-acquire the Nationality Lost by Marriage

- (i) automatically
- (ii) subject to certain requirements being fulfilled (state these)
- (iii) by a simplified naturalization procedure.

Argentina: No reply to this question.

Belgium: (a) (i) No.  
(ii) Yes.  
(iii) Yes.

After dissolution of the marriage she may retain Belgian nationality by option provided she has had residence in Belgium or in the Colony during the previous year.

Brazil: This question is not applicable, as Brazilian law does not recognize marriage as a means of acquiring or losing nationality.

Canada: (a) (i) No.  
(ii) Not applicable.  
(iii) Not applicable.

Chile: This question is not applicable, as Chilean law does not recognize marriage as a means of acquiring nationality.

China: 1. (a) (ii) Yes, subject to the permission of the Minister of Interior.<sup>1/</sup>

Colombia: No answer to this question.

Cuba: (a) and all three sub-questions - No.

Czechoslovakia: (a) (i) No. In Slovakia a woman who by release of her husband from his nationality or owing to the fact that he is missing or by marriage with a foreigner if she is legally divorced, or separated from her husband, or has become a widow, is on her own request to be reinstated as a Czechoslovak national, provided she was a Czechoslovak national prior to her marriage.

Denmark: No - to all three sub-questions.  
As to (iii) the conditions for re-acquisition are actually very lenient.

<sup>1/</sup> Information furnished by Mrs. New, in collaboration with a Committee on the Legal Status and Treatment of Women of the Chinese Association of University Women.

- Dominican Republic: A Dominican woman contracting marriage with an alien and expressing her wish to acquire her husband's nationality or having acquired such nationality through marriage under relevant legislation may during marriage or upon its dissolution resume Dominican nationality upon making a declaration to this effect and taking up her residence in the Dominican Republic, if she has not already done so.
- Egypt: (a) (ii) Yes.
- El Salvador: No - to all three sub-questions.
- France: Dissolution of the marriage does not affect the nationality of the wife.
- Greece: (a) (iii) Yes.
- Guatamala: (a) (i) No.  
(ii) In the case of the Guatemalan woman who lost her nationality upon marrying an alien may recover Guatemalan nationality at any time - even though the marriage has not been dissolved - by means of a declaration in authentic form before the Minister of Foreign Relations or before a Guatemalan diplomatic or Consular agent at the place of residence if she resides abroad.
- Iceland: No answer to these questions.
- India: (a) (i) No.  
(ii) Yes, by obtaining a certificate of naturalization.  
(iii) Simplification of the naturalization process extends to waiving of conditions of residence of Section 2 A of the Nationality and Status of Aliens Act, in the case of a woman who was a British national before her marriage to an alien.
- Netherlands: (a) (i) The wife's nationality lost by marriage is not automatically reacquired by the simple fact of the marriage being dissolved.  
(ii) The Dutch nationality, however, is reacquired if the woman within a year after the dissolution of her marriage applies to a competent authority and expresses the wish to reacquire the Dutch nationality.  
(iii) If a woman does not comply with the rule mentioned in (ii) she may reacquire the Dutch nationality by naturalization.

/New Zealand:

- New Zealand: (a) As nationality cannot be lost on marriage, the question is not applicable.
- Norway: (a) (ii) Divorce has no effect per se on the wife's citizenship. Citizenship can be reacquired, however, by decree in accordance with the regulations contained in the Citizenship Act Article 4.
- (iii) Citizenship is often granted in these cases even if the conditions contained in the first paragraph of Article 5 of the Citizenship Act are not fulfilled.
- Pakistan: A wife does not lose her nationality by reason only of the death of her husband or dissolution of her marriage.
- Philippines: (a) (i) No.
- (ii) Yes, subject to the requirement that she take an oath of allegiance to the Republic of the Philippines, and register in the proper civil registry.
- (iii) Nationality is not reacquired by simplified naturalization procedure.
- Poland: (a) (i) No.
- (ii) Yes.
- (iii) Yes.
- Siam: (a) (i) Yes.
- (ii) No.
- (iii) No.
- Sweden: (a) Marriage to an alien does not in itself involve the loss of Swedish citizenship. However, any Swedish-born person who has lost Swedish citizenship recovers the same by taking up residence in Sweden if he or she has not acquired alien citizenship, or if such citizenship has been acquired but later lost. A Swedish-born alien who is resident in Sweden recovers Swedish citizenship automatically if he or she loses alien citizenship, while residing in this country.
- Swedish citizenship can also be recovered by naturalization. In such cases there are certain exemptions from the ordinary requirements, e.g., a former Swedish citizen can be naturalized without having been resident in Sweden for five years as otherwise is required.
- Syria: (a) She may reacquire the nationality lost by marriage, subject to her wishes and residence in Syrian territory.
- Turkey: (a) (i) No answer needed, in view of the fact that Turkish women retain their nationality when they are married to foreigners.
- /(ii) An optional



(ii) An optional right is granted to alien women who have automatically become Turkish by marriage. After the dissolution of the marriage during a period of three years they may either choose to regain their original nationality or remain Turkish citizens.

(iii) No answer needed, in view of the answer to part (i).

Union of South Africa: (a) The wife does not reacquire the nationality lost by marriage. She keeps the nationality acquired by marriage.

United Kingdom: (a) (i) (ii) No.

(iii) Yes.

United States of America: (a) (i) Not applicable under present law. Dissolution of marriage does not affect citizenship status of the wife in the United States.

(ii) (iii) Not relevant.

Uruguay: (a) No reply to this question.

Venezuela: (a) The dissolution of the marriage has no effect on the nationality of the spouses or of their children.

Yugoslavia: In the case of divorce the wife retains the citizenship she had while she was married. If the woman in question is a citizen of the Federal People's Republic of Yugoslavia, who after her marriage applied for release from citizenship of the FPRY in order to obtain that of her husband foreigner whom she has now divorced, such woman acquires the citizenship of the FPRY again. If the citizenship of the FPRY is reacquired, all the other conditions for naturalization need not be fulfilled.

#### Question IV (1) B

Upon the Marriage being Dissolved Does a Wife

(b) Keep the nationality acquired by marriage.

If not, does she lose it

(i) automatically

(ii) subject to certain requirements being fulfilled (state these)

Argentina: No reply to this question.

Belgium: (b) Yes.

Brazil: The question is not applicable, as Brazilian law does not recognize marriage as a means of acquiring or losing nationality.

/Canada:

- Canada: (b) (i) Yes, as to foreign nationality thus acquired, but Canadian citizenship is not acquired by marriage.
- Chile: This question is not applicable, as Chilean law does not recognize marriage as a means of acquiring nationality.
- China: The Chinese woman, having acquired foreign nationality through marriage to an alien, upon dissolution of such marriage keeps or loses her acquired nationality in accordance with relevant legislation of her former husband's country.<sup>1/</sup>
- Colombia: No answer to this question.
- Cuba: No answer to this question.
- Czechoslovakia: See reply to part (a) of this question.
- Denmark: Yes.
- Dominican Republic: (b) (ii) This point is not covered by the answer.
- Egypt: (b) No reply to this question.
- El Salvador: (b) (i) Yes.
- France: Dissolution of marriage does not affect the nationality of the wife.
- Greece: (b) (i) Yes, unless she complies with the simplified procedure for reinstatement in her former nationality.
- Guatemala: An alien woman who acquired Guatemalan nationality through marriage with a Guatemalan national continues to enjoy the same nationality unless she makes a declaration renouncing it in the form indicated in the reply to part (a) of this question.
- Iceland: No answer to this question.
- India: Yes.
- Netherlands: A woman who has acquired Dutch nationality by marriage keeps this nationality after the marriage has been dissolved.
- New Zealand: Under the present law nationality cannot be acquired by marriage. Nevertheless, the question is applicable to women who acquired British nationality automatically by marriage to British subjects prior to 9 October 1946. Such women do not lose the nationality acquired by marriage by reason of the dissolution of that marriage. Note that the effect of a decree of nullity (as distinct from dissolution) of marriage is not the subject of inquiry.

<sup>1/</sup> Information furnished by Mrs. New in collaboration with a Committee on the Legal Status and Treatment of Women of the Chinese Association of University Women.

(The position in Western Samoa and Cook Islands is the same as in New Zealand.)

Norway: (b) Yes.

Pakistan: A wife does not lose her nationality by reason only of the death of her husband or dissolution of her marriage.

Philippines: Nationality acquired by marriage of a Filipino woman may be lost by dissolution of the marriage

(b) (i) not automatically

(ii) by failure to repatriate herself.

Poland: (b) (i) No.

(ii) Yes.

Siam: (b) (i) Yes.

(ii) No.

Sweden: An alien woman who has acquired Swedish nationality by marriage to a Swede keeps her citizenship after her marriage has been dissolved.

Syria: (b) Yes.

Turkey: (b) See the reply to part (a) of this question.

Union of South Africa: The wife does not reacquire the nationality lost by marriage; she keeps the nationality acquired by marriage.

United Kingdom: (b) Yes.

While the statements given in reply to question IV of the position under the law in the United Kingdom represent in general the position in the territories of Bechuanaland Protectorate and Swaziland, there is in fact no provision at present for naturalization under their law.

United States of America: (b) (i) Not relevant.

(ii) See (i) above.

Uruguay: (b) Upon her marriage being dissolved, a woman may renounce her nationality on the same terms as when she was a spinster or married.

Venezuela: (b) The dissolution of the marriage has no effect on the nationality of the spouses or of their children.

Yugoslavia: In the case of divorce the wife retains the citizenship she had while she was married. If the woman in question is a citizen of the Federal People's Republic of Yugoslavia, who after her marriage applied for the release from the citizenship of the FPRY in order to obtain the citizenship of her husband foreigner whom she

/has now

has now divorced, such woman acquired the citizenship of the FPRY again. If the citizenship of the FPRY be reacquired, all the otherwise required conditions for naturalization need not be fulfilled.

Chapter V: Nationality of children when parents are of  
different nationalities

Question V

In cases of husband and wife being of different nationality, is the right of a wife to transmit her nationality to her children

- (a) equal to that of her husband
- (b) greater than that of her husband
- (c) less than that of her husband
- (d) non-existent
- (e) do the children have any voice in the matter
  - (i) during minority
  - (ii) upon attaining majority
- (f) are any other factors taken into account.

Argentina: (a) Children born within the territory of the Republic, whatever the nationality of their parents (with the exception of children of foreign ambassadors and members of legations resident in the Republic) and children of Argentine-born parents born abroad who choose Argentine citizenship are Argentine nationals.

Belgium: (a) No.  
(b) No.  
(c) No.  
(d) Yes.  
(e) Children born abroad or in the colony from parents, one of whom has or had Belgian nationality, may acquire Belgian nationality by option.  
(i) They may opt on reaching the age of sixteen and until they reach the age of twenty-two.  
(f) Minor children not emancipated become Belgian when the parent who has guardianship over them voluntarily recovers Belgian nationality. In this case, however, they may renounce Belgian nationality until they reach the age of twenty-two provided they can establish that they have foreign nationality or will thereby reacquire it.

Minor children not emancipated of a Belgian parent who has become an alien under Section 18, paragraph 1 of the law and has guardianship over them will lose their Belgian nationality if they acquire the foreign nationality at the same time as their parent. The child who has lost Belgian nationality under Section 18, paragraph 4 may

/recover

recover such nationality between the ages of sixteen and twenty-two by option, provided the child resided habitually in Belgium or in the colony during the previous year.

Brazil: Nationality is determined by the place of birth.

Canada: (a) No.

(b) No.

(c) No.

(d) Yes, except for children born out of wedlock or if the mother is a widow or has the legal custody of the child.

(e) (i) No.

(ii) No, except under conditions outlined in (d) and when the child enjoys dual nationality until majority.

(f) No.

Chile: No reply to this question.

China: There is no explicit provision in the Chinese nationality law defining the right of a national wife to transmit her nationality. This right, however, may be presumed to be less than that of her husband. Under Article 1 of the nationality law, "the following are deemed to be citizens of the Republic of China: (1) Any person whose father was at the date of the birth a Chinese citizen; (2) Any posthumous child whose father was a Chinese citizen at the date of his death; (3) Any person whose father is unknown or possesses no nationality but whose mother is a Chinese citizen".

Article 2 of the same law also says "An alien may acquire citizenship of the Republic of China under any one of the following conditions: (2) If he is duly recognized by his father who is a Chinese citizen; (3) if the father is unknown or unrecognized but he is recognized by his mother who is a Chinese citizen."

Article 1059 of the Chinese Civil Code provides: "A child assumes the surname of the father. Where the husband is married into the house of the wife, the child assumes the surname of the mother, but where it has been otherwise agreed upon, such agreement shall be followed....The wife has the right to transmit her nationality to her children only after the husband has expressly waived his right in this respect." 1/

- Colombia: (a) No.  
(e) (ii) Yes.
- Cuba: (e) (ii) Yes.
- Czechoslovakia: Law No. 102 of 1947 does not settle the question of the nationality of children of parents of different nationalities. Legitimate children or children subsequently legitimized by their father have his nationality and during minority follow him in any change of nationality. If the mother of illegitimate children marries a man other than the father, the children do not follow the mother in the matter of nationality if she changes that nationality.
- (e) (ii) Children on attaining their majority do not follow their parents in the latter change of nationality.
- Denmark: The citizenship of a wife has no influence on the children born in wedlock or legitimized in marriage as the citizenship of these children entirely depends on that of the father.
- Dominican Republic: Where husband and wife have different nationalities, then under private international law it is not the wife but the husband who transmits his nationality to the children, since such a case of conflict between the respective laws of the two different countries cannot be decided by municipal law.
- Egypt: She has lost her nationality and cannot transmit it to her children.
- El Salvador: When parents are of different nationalities and the wife is Salvadorean, the legitimate children born in El Salvador are Salvadorean, unless they manifest intention to the contrary on attaining majority before the authorities of their domicile. This declaration must be made during the year following their coming of age. In other cases, the legitimate children follow the nationality of their father.
- France: (a) to (d) The mother's right to transmit her French nationality to her children is slightly inferior to that of the father:

(1) The child born in France of a foreign father and a French mother is French.

(2) The child born abroad of a foreign father and

/a French

a French mother is French unless the child renounces this nationality within the six months before coming of age, provided

(a) that it has the father's nationality by affiliation

(b) that it has fulfilled its military obligations if any in the father's country.

(e) The child may renounce his French nationality on reaching the age of sixteen with the authorization of its legal representative, on reaching the age of eighteen without any authorization.

(f) The child may also lose this faculty in certain conditions provided by Section 32 of the French Code of Nationality.

Greece:

(c) Yes.

(e) (i) (ii) No.

(f) Domicile.

Guatemala:

(a) Yes.

(e) (i) (ii) No.

(f) Yes. Domicile and place of birth, or if according to the laws of the place of birth children have no right to foreign nationality or having the right to choose Guatemalan nationality.

Iceland:

(d) Non-existent except as regards her children born before the marriage.

(e) (i) On reaching the age of seventeen if they are born in Iceland and have domiciled there since, they automatically acquire Icelandic nationality. They may also apply for it independently at any time.

India:

(a) No right at all. However, under Section 12 (1) of the British Nationality and Status of Aliens Act "where a person being a British subject ceases to be a British subject whether by declaration of alienage or otherwise, every child of that person being a minor shall thereupon cease to be a British subject unless such child of that person ceasing to be a British subject does not become by the law of any other country naturalized in that country.

/"Provided



"Provided that where a widow who is a British subject marries an alien, any children by a former husband shall not by reason only of her marriage cease to be a British subject, whether he is residing outside His Majesty's dominions or not."

(e) (ii) Yes.

(f) No.

Netherlands:

As a general rule these questions cannot be answered, as the answers depend on the legislation of the country to which the husband belongs. If a Dutch woman marries a stateless person or a man of unknown nationality, the nationality of the wife devolves automatically upon the children born of that marriage, provided that they are born in the metropolitan territory of the Netherlands.

New Zealand:

(a) No.

(b) No.

(c) No.

(d) Yes.

(e) No.

(f) No.

British nationality as far as it is a matter of jus sanguinis is inherited only from the paternal side. (The position in Western Samoa and the Cook Islands is the same as in New Zealand.)

Norway:

The wife's right to transfer her citizenship to her children is inferior to that of her husband.

Pakistan:

The children inherit the nationality of their father and not of their mother. In the event of the father ceasing to be a British national, the minor children can within one year after reaching majority make a declaration that they wish to resume British nationality and shall thereupon again become British nationals.

Philippines:

In case of husband and wife being of different nationality, the right of a national wife to transmit her nationality to her children is non-existent because the children of the marriage follow the citizenship of the husband.

(e) (ii) The children have a voice in the matter upon attaining majority by electing between the citizenship of the parents.

No other factors are taken into account.

/Poland:

Poland: (d) Non-existent.  
(e) (ii) Yes.

Siam: (a) No.  
(b) No.  
(c) No.  
(d) Yes.  
(e) No.  
(f) No.

Sweden: Only illegitimate children of the wife derive Swedish citizenship from her by birth.  
Legitimate children acquire Swedish citizenship by birth only if the father is a Swedish citizen.  
If an alien man acquires Swedish citizenship whether by naturalization or otherwise, this acquisition extends or can be extended to his legitimate unmarried children under the age of 21 under the same conditions as in regard to his wife. However, the wife's or the children's consent is not in any case necessary.  
If an alien woman acquires Swedish citizenship independently and not by marriage, this acquisition correspondingly extends or can be extended to (1) her illegitimate children, unless the father is an alien and is their legal guardian; (2) her legitimate children if she is a widow; (3) her legitimate children if she is divorced or legally separated from her husband, provided that she is the guardian of the children.

Syria: (d) The wife has not the right to transmit her nationality to her children.  
(e) (ii) One year after attaining majority.

Turkey: When children attain the age of majority they are independent of their parents in deciding which nationality to adopt. Children who are minors are dependent upon their fathers insofar as their nationality is concerned. In matters of nationality minors may be dependent upon their mothers only when the latter are widows or when the former are born Turkish outside of marital relationship.

/Union of South Africa:

- Union of South Africa: (a) to (d) The wife has no right whatsoever of transmitting nationality to her children.  
(e) The children have no voice in the matter.  
(f) No. Other factors are not taken into account.
- United Kingdom: (d) Yes.  
(e) No.  
(f) No.
- United States of America: (a) Yes.  
(e) (i) Yes.  
(ii) Yes.  
(f) No, not in distinction between men and women.
- Uruguay: The rights of the wife are the same as those of the husband.
- Venezuela: (a) Yes.  
(e) (ii) Yes.
- Yugoslavia: Under Article 9, paragraph 1 of the Citizenship Law of the Federal People's Republic of Yugoslavia, "if one of the matrimonial partners is a citizen of the FPRY and the other a foreign citizen, the children of such marriage acquire the citizenship of the FPRY under the conditions stipulated in Article 4 of the Citizenship Law of the FPRY". In such a case, it does not make any difference whether the matrimonial partner who is a citizen of the FPRY is the husband or the wife; accordingly here, too, the principle of a full equality of man and woman has been made effective.

Chapter VI: Effect of the Nationality of Each of the Spouses  
on the Eligibility of the Family to Immigration

Question VI

1. Under the immigration laws, what is the effect of a woman's nationality on the admission of

- (a) her alien husband
- (b) her alien children
- (c) her alien parents

2. What is the effect of a husband's nationality in this respect.

Argentina: Under Argentine law nationality of a husband or wife of whatever kind has not any effect whatever on any legal provision applicable to either of them.

Belgium: (a) (b) (c) and 2. No effect whatever.  
The wife's admission into Belgium depends upon her nationality. If she is Belgian, she will be admitted to Belgian territory at any time and without restrictions. In practice, admission of an alien married to a Belgian wife is considered more favourably.

Brazil: (a) The husband remains excluded from the entry quota and right of re-admission.  
(b) (c) No reply.  
Same answers as for the wife.

Canada: The woman's nationality has no effect on the admission of her alien husband, children or parents, nor does the husband's nationality have any effect in the matter. Canadian immigration regulations are based on family relationship rather than on nationality.

Chile: (a) (b) (c) None.

China: China has no immigration laws like those of the United States. Only in cases where an alien husband or alien children or alien parents apply to the Chinese Consular authorities abroad for entrance visas to China, may the fact of the Chinese nationality and the Chinese residence of the applicant's wife or mother or daughter respectively constitute grounds for granting such application.

The effect of the husband's nationality in this respect would most likely be similar to the above cases.<sup>1/</sup>

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<sup>1/</sup> Information given in the report presented by Mrs. New prepared in collaboration with a Committee on the Legal Status and Treatment of Women, of the Chinese Association of University Women.

- Colombia: No answer to these questions.
- Cuba: No answer to these questions.
- Czechoslovakia: There exist no special laws dealing with these matters in connection with immigration.
- Denmark: No reply to these questions.
- Dominican Republic: "The immigration laws of the Dominican Republic apply equally to men and women, the same regulations for the admission into the country of spouses, parents and children of foreign nationality apply to both; but Dominican nationals only and not those retaining their foreign nationality, are subject to the laws of our Constitution and the provisions of international treaties."
- Egypt: (a) (b) (c) None. She has no nationality apart from her husband. The husband's nationality is predominant in all cases.
- El Salvador: Nationality affects exclusively the person concerned.
- France: The laws on immigration make no discrimination on the basis of nationality and ethnical origins. Immigration possibilities depend exclusively on human and economic factors. Therefore, the nationality of the wife has no effect on the conditions in which her husband, children and parents may be admitted to immigration.
- The husband's nationality cannot by itself modify the situation of the woman residing on French territory. Nevertheless, in the three liberated departments of Alsace and Moselle, where the sojourn of German nationals is severely regulated, the admission as labourers of those who have married a French wife is made easier.
- Greece: No answer to these questions.
- Guatemala: (a) There are no legal provisions in this respect, but if the wife is Guatemalan it is morally taken into account.
- (b) The children of a Guatemalan woman born abroad are Guatemalan from the moment in which they establish residence in the country, and in view of this their entry is facilitated.
- (c) Same answer as to (a).
- The husband's nationality gives the alien wife the right to enter and live in Guatemala.
- /Iceland:

Iceland: (a) (b) (c) No.

The alien wife would acquire Icelandic nationality together with their children.

India: Though no immigration laws exist, the effects follow from the enforcement of the British Nationality and Status of Aliens Act of 1914, with the sole exception of immigrants from the Union of South Africa. Entry into India and acquisition of rights by persons of British possessions is on a reciprocal basis regulated by the Reciprocity Act 1943. Notwithstanding the incorporation of the British Nationality and Status of Aliens Act 1914 in the constitution of the Union of South Africa and the Union being a member of the British Commonwealth the Reciprocity (South Africa) Rules 1944 have declared that "any person not being of Indian origin who is domiciled in the Union of South Africa" is a "prohibited immigrant".

Netherlands: There is no legal provision on the matter.

New Zealand: Nationality of one spouse has no effect on the admission of the other, nor does the wife's nationality affect the admission of her alien children or parents.

Norway: The Act of 22 April 1927 regarding admission of aliens into the country in principle places all foreign citizens on an equal basis regardless of whether they are married to a Norwegian or not.

Pakistan: There are no immigration laws, and foreigners are ordinarily permitted to come to Pakistan for a definite period. Though the case of an alien husband and children of a British woman is governed by the general rules regarding the admission of foreigners into Pakistan, the British nationality of the wife is taken into consideration while deciding such cases. The alien parents of a British woman are allowed to come to Pakistan only on compassionate grounds, i.e., if they are entirely dependent upon her, and arrangements cannot be made to look after them in their own country.

The alien wife of a Pakistan national is allowed to live with her husband in Pakistan, but she is required to obtain a visa for this country unless she acquires British nationality.

/Philippines:

- Philippines: 1. Under the immigration laws the effect of a woman's nationality on the admission of (a) her alien husband is that he may be admitted into the Philippines as a non-quota immigrant if accompanied or following to join his national wife, if not otherwise barred; (b) her alien children, is that such children under 21 years of age may be admitted into the Philippines as non-quota immigrants if accompanying or following to join their national mother; (c) her alien parents, none.
2. The alien husband's nationality in this respect is immaterial.
- Poland: No answer to these questions.
- Siam: The answer to both questions and sub-questions is "no effect".
- Sweden: There are no provisions on immigration, but in practice the admission of a Swedish woman's alien husband and children is facilitated to a certain extent depending on the circumstances in each individual case. The same applies to alien family members of a Swedish man.
- Syria: 1. (a) (b) (c) The woman's nationality facilitates her admission.
2. No reply to this question.
- Turkey: The answers to both questions and sub-questions is "no effect whatsoever".
- Union of
- South Africa: A woman's nationality has no effect in the stated cases. A husband's nationality equally has no effect in this respect.
- United Kingdom: 1. (a) (b) (c) Whereas all foreigners seeking admission to the United Kingdom must obtain leave of an Immigration Officer to land and such leave cannot be given or guaranteed in advance of their arrival, British-born women and the husbands and dependent children of women of British birth and stock are freely admitted to the United Kingdom, so long as there is no personal objection to the individual concerned (e.g. on grounds of security or public order). Applications in respect of alien parents are considered on their merits in the light of the circumstances of each case regardless of the national status of their sons or daughters.
- (a) Regarding the United Kingdom dependencies and overseas territories, a woman's British nationality has no legal

/effect

effect on the nationality of her husband, but would be evidence in favour of her husband's application to enter or join her in a United Kingdom dependency or overseas territory.

(b) Alien children if minors, would not normally be refused permission to join their British mother. If entering the territory with her they would, presumably travel on her British passport and no nationality question would then arise.

(c) Applications by aliens to join their children in United Kingdom Dependencies or Overseas Territories are considered on their merits. The fact of one of the children being British would be evidence in their favour.

2. (a) The alien wife of a British subject is invariably treated as though she were a British subject, though this is not prescribed by law.

The replies to 1 (c) apply to 2 (b) and (c) mutatis mutandis.

In Southern Rhodesia the nationality of a husband domiciled in the colony does not affect the admission of his wife, children under the age of 16, or his parents.

While the replies given above to Question VI are in general applicable to the High Commission territories of Basutoland, the Bechuanaland Protectorate and Swaziland, it should be pointed out that under Roman-Dutch law, which applies in the three territories, a wife and children from the marriage take the nationality of the husband.

United States  
of America:

1. (a) If she is a citizen of the United States and was married prior to 1 January 1948, her alien husband may enter on visa as a non-quota immigrant, unless he is inadmissible under the immigration laws. If the woman citizen married on or after 1 January 1948, her husband may be admitted only as a preference quota immigrant; i.e., included in the fifty per cent per annum preferred class who are first entitled to visas.

If the citizen wife is serving in, or has an honourable discharge from, the United States armed forces of the Second World War, and application for admission of her alien husband is made before 28 December 1948, he may be admitted as a non-quota immigrant under special waiver of certain qualitative provisions and documentary requirements of the immigration law, provided he is otherwise eligible for admission.

/(b) If her