

**Republican Decree**  
**No. 3 of 1994**  
**Executive Regulation of law**  
**No. 6 of 1990 AD**  
**Concerning the Yemeni nationality**

**CHAIRMAN OF THE PRESIDENTIAL COUNCIL,**

- AFTER having perused the Constitution of the Republic of Yemen,
- AND Law No. (6) of 1990 concerning passports,
- AND Republican Decree No. (68) of 1993 concerning the formation of the Council of Ministers,
- AND Decree of the Chairman of the Presidential Council No. (9) of 1993 concerning the present government to continue in office,
- AND upon the submission of the Minister of the Interior,
- AND following consent of the Council of Ministers and the Presidential Council,

**(RESOLVES)**

**Section One**  
**Citation and Definitions**

Article (1) : This regulation shall be cited as "The executive Regulation of law No.(6) of 1990 concerning the Yemeni nationality".

Article (2) : The following words and expressions shall have the meanings assigned to each of them:

Republic :	Republic of Yemen.
Law :	Law No. (6) of 1990 concerning the Yemeni nationality.
Regulation :	The Executive Regulation of the Yemeni nationality.
Authority :	The Immigration, Passports and Nationality Authority.
Court :	The court in the area where the applicant claims establishment of nationality that he is enjoined to.
Committee :	The Yemeni Nationality Committee formed in accordance with the law.

**Section Two**  
**Nationality by Birth or Origin**

Article (3) : 1 - For the implementation of Article (2) of the law the following shall be a condition thereof:

- (a) Ordinary uninterrupted domicile for the period provided for.
- (b) That the naturalized person shall not be enjoined to any other foreign nationality.

Article (4) : For the infant to enjoy the Yemeni nationality in accordance with paragraph (a) of Article (3) of this law, it shall be a condition that his father should enjoy it at the time of its birth.

Article (5) : For the infant born in the Yemen to enjoy Yemeni nationality in accordance with paragraph (b) of Article (3) of the law, it shall be a condition that its mother should enjoy this nationality at time of its birth.

Article (6) : For the infant born in the Yemen to enjoy Yemeni nationality in accordance with paragraph (c) of Article (3) of the law, it shall be a condition that its mother should enjoy Yemeni nationality at time of its birth.

Article (7) : To establish the nationality of the children of Yemeni emigrants in accordance with paragraph (b) of Article (3) of this law, the following shall be a condition:

- 1 - Establishment of parenthood/branch of the father legally.
- 2- That there should not occur a discontinuation between the branch and the homeland for more than fifty Gregorian years.
- 3- That the distance in the degree of kinship to the origin departing the Yemen should not exceed the father of his grandfather.

Article (8) : Without prejudice to the provisions contained in Article (4) of the law, the nationality of the children of the Yemeni shall be established by all means of proof, among them the following:

- 1- The birth certificate issued outside the homeland.
- 2- The father's personal identity card or the family card.
- 3- The passport of the mother.
- 4- The travel document or the passport by which he arrived at the Republic.
- 5- The identification form prepared by the Authority and issued by a resolution of the Minister.

### **Section Three** **Acquisition of Yemeni Nationality**

Article (9) : The foreigner who desires to acquire Yemeni nationality in accordance with paragraph (a) of Article (4) of the law must submit all application therefore to the Minister appending to it:

- (a) An official document confirming that the mother enjoyed Yemeni nationality upon birth, such as her birth certificate or personal identity card or family card or her passport.
- (b) A birth certificate endorsed by the Yemeni diplomatic or consular mission in the state in which the birth took place and further endorsed by the Ministry of Foreign Affairs.
- (c) His normal legitimate residence permit in the Yemen for ten successive years at least before the attainment of adulthood.

Article (10) : The foreigner who wishes to acquire Yemeni nationality in accordance with paragraph (b) of Article (4) of the law has to submit an application therefore to the Minister appending:

- (a) An official document establishing the nationality of the two foreign parents such as the identity cards or the passports.
- (b) A birth certificate issued in the Republic and showing his having attained adulthood.
- (c) A good character and conduct certificate confirming that he has not been adjudged with a criminal or a liberty-restricting penalty in a crime violating the public order and public morals, or a certificate of rehabilitation if he has previous records of this type.
- (d) A medical certificate confirming his being free from any disability and the soundness of his mental capabilities issued by the competent medical committee.

Article (11) : The foreigner who wishes to acquire Yemeni nationality in accordance with paragraph (c) of Article (4) of the law shall submit an application therefore to the Minister appending:

- (a) Birth certificate attesting to the birth in the Yemen of the foreign father, or an official document issued by a competent quarter attesting to that or his residence permit in the Yemen.
- (b) His birth certificate issued in the Yemen.

Article (12) : The foreigner who wishes to acquire Yemeni nationality in accordance with paragraph (d) of Article (4) of the law must submit an application therefore to the Minister appending:

- (a) His foreign personal identity card.
- (b) A passport.
- (c) The documents clarifying the nature of noble works and services which he has carried out for the Yemen and which are attested to by the official organs and bodies in the Republic.

Article (13) : The foreigner who wishes to acquire Yemeni nationality in accordance with paragraph (e) of Article (4) of the law must submit an application therefore to the Minister appending:

- (a) A residence permit in the Republic for a period of five years prior to his application.
- (b) Any legal documents that establish the residence of his grandfather nearest to the line of his father in the Republic.
- (c) A certificate of his having relinquished the foreign nationality.
- (d) A legal judgment affirming his affiliation to a Yemeni origin.
- (e) An affirmation in his own handwriting to the effect that he is not enjoined to any other nationality.

Article (14) : The foreigner who wishes to acquire Yemeni nationality in accordance with Article (5) of the law must submit an application therefore to the Minister appending:

- (a) An official birth certificate issued in his state, endorsed by the Yemeni embassy therein and further endorsed by the Ministry of Foreign Affairs.
- (b) His residence permit in the Republic with due regard for the contents of Article (6) of the law.
- (c) A good character and conduct certificate or a certificate of rehabilitation if he has a previous record of these crimes determined in the law.
- (d) A certificate from the competent quarters proving the need of the country for the competence that he enjoys. In such cases the competent quarters can exempt him from the condition or proficiency in the Arabic language.

Article (15) : (a) The foreigner applying for the acquisition of the Yemeni nationality in accordance with Articles (4) and (5) of the law must furnish the Authority or any of its branches with data on his wife and minor children resident with him. In all events his minor children living with him abroad do not enjoy the nationality of their father by way of lineage.

(b) If the children living with their wish to relinquish the nationality of their father during the year following their having attained adulthood, they must apply to the Minister, provided that they should have resumed their original nationality or are still enjoined to it.

(c) If the foreign wife wishes to acquire Yemeni nationality, she must apply to the Minister therefore, appending:

- 1- Resolution or certificate of her husband having acquired Yemeni nationality.
- 2- An official marriage contract (document).
- 3- Her residence permit in the Republic.
- 4- Her foreign identity card.
- 5- The health certificate.

#### **Section Four Mixed Marriages**

Article (16) : The Yemeni woman who marries a foreign Muslim in accordance with Article (10) of the law shall have the right to declare her wish to relinquish her Yemeni nationality through an application made to the Minister through the authority or one of its branches or through one of the Yemeni embassies or consulates accredited abroad, appending:

- (a) Establishing what affirms that the Nationality law of her husband allows her to enjoy his nationality.
- (b) A copy of the marriage contract endorsed by the competent quarters and further endorsed by the Yemeni embassy or consulate in the conditions which require the same.
- (c) Follow-up completion of the legal procedures necessary for relinquishing her nationality or empower another to do so.
- (d) An endorsed and certified copy of her passport.

Article (17) : Without prejudice to the requirements of Articles 10 and 12 of the law, the woman shall not lose her Yemeni nationality that has been acquired by way of affiliation to her husband, except in the following cases:

- (a) If she regains her original nationality and the relinquishment of the Yemeni nationality was a condition for that.
- (b) If she acquires another nationality through naturalization.

Article (18) : The authority shall grant a certificate of relinquishment of the Yemeni nationality with the signature and seal of the Minister affixed thereto.

Article (19) : Based upon the estimation and submission of the Minister and by Republican Decree, the divorced or widowed foreign woman may be granted her husband's nationality, if she has not during the marriage period acquired such nationality by way of affiliation in accordance with Article (11) of the law, provided that she submits an application therefore to the Minister appending:

- (a) The marriage contract document.
- (b) The divorce or death document (to ascertain the elapse of four years over the marriage and divorce or death).
- (c) Decision of the court considering him/her to be the guardian of the children.
- (d) The birth certificates of the children.
- (e) A good character and conduct certificate.
- (f) Her residence permit in the Republic.

### **Section Five Resumption, Return and Withdrawal of Nationality**

Article (20): The Yemeni woman who has lost her nationality in accordance with Articles 10 and 12 of the law may regain her nationality without termination of the marital relationship if necessity requires her residence in the Republic, provided that the application for resumption should contain a statement on those needs.

Article (21) : When Yemeni nationality is withdrawn from whomsoever has acquired it in accordance with Articles 18 and 19 of the law, the acts and deeds attributed to the person from whom nationality is to be withdrawn must be ascertained through proof that leaves no room for doubt. The Minister shall have the right to object along with the stating of the reasons for such rejection and objection.

### **Section Six Nationality Committee**

Article (22) : The Yemeni Nationality Committee shall undertake the exercise of those powers determined in Articles 8 and 30 of the law and in particular it shall undertake the following duties:

- 1- Nominate from among the applicants those whom it considers eligible to be granted naturalization certificates and that within the limits of the numbers allowed annually in accordance with the Republican Decree provided for in Article (7) of the law.
- 2- Consider and examine the documents and applications for Yemeni nationality in accordance with the requirements of this regulation.
- 3- Consider and examine the documents of mixed marriages and the acquisition of nationality by way of affiliation in accordance with the provisions of the law and this regulation.
- 4- Examine and consider the Yemeni birth certificate documents.
- 5- Estimate those noble services in accordance with paragraph (d) of Article (4) of the law, with due regard for Article (13) of the regulation.
- 6- Estimate the pressing needs provided for in Article (6) of the law.

7 - Estimate the degree of proficiency in the Arabic language in accordance with Article 4 and 5 of the law

8- Consider matters of establishing Yemeni nationality in accordance with Articles 27 and 30 of the law and it may enlist all means of a legal nature for such establishment.

Article (23): The committee shall submit its recommendations to the Minister who may accept or refuse the same in accordance to common interest requirements.

Article (24) : It shall be a condition for the correct convening of the meeting of the committee that a majority of the members be present. Its decisions shall be taken with the approval of five of its members. In the event of objection it is imperative that the signatures be affixed to the decision along with the causes.

Article (25) : The decisions of the Committee shall be submitted to the Minister within a week of the end of the meeting.

Article (26) : If it becomes apparent to the Committee that the statements of the witnesses are incorrect or the statements of the applicant are also incorrect or that some or all of the documents presented to it are incorrect, then it may reject the application. In the event of there being doubts of forgery, the matter shall be referred to the public prosecution in the area of jurisdiction.

Article (27) : The Committee shall have a secretary whose appointment shall be issued by resolution of the Minister, upon the proposal of the Chairman of the Authority, and he shall undertake the following tasks:

- 1- Retain and archive the works of the committee.
- 2- Direct the invitation to the members to attend meetings and that under the signature of the Chairman of the Authority
- 3- Prepare the topics that will be discussed by the committee.
- 4- Record the minutes of the Committee meetings.
- 5- Establish and organize the decisions of the Committee in the file and the register prepared for this purpose.
- 6- Any other tasks that he is charged with by the Chairman of the Committee.

## **Section Seven General Provisions**

Article (28) : It shall not be permissible for the holder of the Yemeni nationality, following promulgation of the law, to naturalize with a foreign nationality without obtaining the prior permission of the Minister and that upon submission of an application to the Minister or to one of the diplomatic or consular missions. The permission of the Minister shall not be considered in force except after the person actually is enjoined in the foreign nationality.

Article (29) : For the implementation of Article (22) of the law and for the Yemeni to obtain permission to be naturalized with a foreign nationality, it shall be a condition:

- 1- That he has interests which he wishes to preserve in the state whose nationality he wishes to acquire, such as real estate or commercial properties.
- 2- That he is born in that state whose nationality he wishes to acquire and the law of that country permits him to enjoin in its nationality after attaining adulthood.
- 3- If he will obtain material or moral privileges, such as an increase in his salary or his taking up a post that will enhance his material and moral position or obtain a scholarship to pursue his education for free.
- 4- Any other reasons that are considered by the Minister.

Article (30) : In the event of approval of the application to acquire a foreign nationality the applicant shall be granted a certificate signed by the Minister and stamped with the Seal of the Minister in accordance with the specimen prepared for such purpose.

Article (31) : The Authority shall record and register the persons who have been permitted to acquire a foreign nationality, retain and preserve the primaries of whosoever is so permitted and submit an information statement on the number of persons who have been permitted each year and that to the Minister and relevant statistical quarters.

Article (32) : The wife of the Yemeni who has obtained a foreign nationality through naturalization without the permission of the Minister shall not lose her Yemeni nationality and no effect shall arise therefrom even if she declares her desire to acquire the nationality of her husband.

Article (33) : The children of the Yemeni who has taken up a foreign nationality in accordance with Article (2) of the law shall be entitled to choose the nationality of their father during the year successive to their attaining adulthood and that by application to the Minister.

Article (34) : The Authority has to follow-up the publication of the text of judgments that are handed down in relation to nationality issues and that in the Official Gazette.

Article (35) : Any act in contravention of the directives on the papers that relate to nationality matters made by the Minister shall be null and void.

Article (36) : The Minister shall issue ministerial resolutions in all nationality matters and which do not require the issue of a Republican Decree.

Article (37) : This Regulation shall come into force from the date of its issue and shall be published in the Official Gazette.

Issued at the Presidency of the Republic,  
Sana'a on Sha'ban 17, 1411 AH  
Corresponding to January 29, 1994 AD

**Lieutenant General**  
**Ali Abdulla Saleh**  
Chairman of the Presidential Council