



# Removing Gender Discrimination from Nationality Laws

UNHCR is publishing a series of Good Practices Papers to help States, with the support of other stakeholders, achieve the goals of its Campaign to End Statelessness within 10 Years. These goals are to:

Resolve the major  
situations of statelessness  
that exist today

Prevent the  
emergence of new cases  
of statelessness

Improve the identification  
and protection of  
stateless populations

Each Good Practices Paper corresponds to one of the 10 Actions proposed in UNHCR's *Global Action Plan to End Statelessness: 2014 - 2024* and highlights examples of how States, UNHCR and other stakeholders have addressed statelessness in a number of countries. Solutions to the problem of statelessness have to be tailored to suit the particular circumstances prevalent in a country. As such, these examples are not intended to serve as a blueprint for strategies to counter statelessness everywhere. However, governments, NGOs, international organizations and UNHCR staff seeking to implement the *Global Action Plan* will be able to adapt the ideas they find in these pages to their own needs.

## Background

Action 3 of the *Global Action Plan* calls on States to remove gender discrimination from nationality laws. The attainment of gender equality in nationality laws worldwide would constitute a major step forward in preventing statelessness. International human rights law provides for equal treatment of women and men. Article 9(2) of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) contains an explicit obligation whereby States Parties shall grant women equal rights with men with respect to the nationality of their children.<sup>1</sup> Nonetheless, at present 27 countries - in almost all parts of the world - have laws that discriminate against women in their ability to confer nationality on their children.<sup>2</sup>

<sup>1</sup> The full text of Article 9 of CEDAW reads as follows: (1) States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband. (2) States Parties shall grant women equal rights with men with respect to the nationality of their children.

<sup>2</sup> The majority of these States are found in the Middle East and North Africa (12 countries) and Sub-Saharan Africa (eight countries). Five States in Asia, as well as two States in the Americas, also do not grant mothers the same rights as fathers to confer their nationality on their children. For a full discussion on this matter, please see UN High Commissioner for Refugees, *Background Note on Gender Equality, Nationality Laws and Statelessness 2015*, 6 March 2015, available at <http://www.refworld.org/docid/54f8369b4.html>, and Equality Now, *Ending Sex Discrimination in Nationality and Citizenship Laws*, May 2014, available at <http://goo.gl/TuA5EQ>

However, legal reforms in a number of countries in Asia, the Middle East/North Africa (MENA) region, Sub-Saharan Africa and Europe have succeeded in introducing equality between women and men in their ability to confer nationality on their children.<sup>3</sup> This Good Practices Paper explains how such reforms were achieved in Algeria, Morocco and Senegal. It also describes the Arab Women's Right to Nationality Campaign, an exemplary advocacy effort in the MENA region that paved the way for pioneering reforms in a number of countries and continues to push for more progress.

The successful law reform processes in Algeria, Morocco and Senegal present lessons that can be of use when promoting change elsewhere. In each of these countries, there was commitment to reform at the highest levels of government, growing social acceptance of gender equality, and action by women's groups and other civil-society actors to establish an environment favourable to change in the law. Each country also proved the benefit of greater collaboration between those working to end statelessness and traditional women's rights organizations.

Ultimately, a careful assessment of the unique opportunities and challenges present in each country must guide all attempts at reform. Depending upon the circumstances, approaches to governments could be made directly, or through international human rights mechanisms (such as the CEDAW Committee which supervises implementation of the Convention), or through both. The Campaign for Equal Nationality Rights, launched in 2014 by the Women's Refugee Commission, Equality Now, the Equal Rights Trust, the Institute on Statelessness and Inclusion, UN Women and UNHCR should give an added boost to global efforts to end gender discrimination in nationality laws.<sup>4</sup>

## HIGHLIGHTS OF LAW REFORM EFFORTS IN ALGERIA, MOROCCO AND SENEGAL

- Reform was achieved through **simple legislation** granting women and men equal rights to confer nationality.<sup>5</sup> In all instances, complicated legislation was replaced by a one-sentence provision.
- Advocates for change in **Algeria** and **Morocco** engaged with the **CEDAW Committee**, which in turn made recommendations to the authorities on implementation of their international gender-equality obligations. This encouraged **governments to work with advocates** at the national level, fostering constructive dialogue for law reform.
- Determining the advantages and disadvantages of **tying gender equality in nationality matters to broader gender-equality agendas** proved particularly important. In Algeria, the Nationality Code was reformed at the same time that the Family Code was partially reformed, whereas in Morocco the Nationality Code was amended after sweeping reform of the Family Code.
- In both **Morocco** and **Senegal** it was demonstrated that **measures to enable women to exercise political power helped create environments** favourable to gender equality in nationality law.
- **Highlights of the Moroccan civil-society campaign** included the use of first-hand testimonials from families affected by the law, a media campaign and strategic partnership with journalists, and outreach to government stakeholders. In the cases of **Algeria** and **Senegal**, **women in the diaspora mobilized** to promote law reform.

<sup>3</sup> For example, reforms granting women equal rights to confer their nationality on their children have been achieved over the last decade in countries as diverse as Sri Lanka (2003), Egypt (2004), Algeria (2005), Indonesia (2006), Sierra Leone (partial reform in 2006), Morocco (2007), Bangladesh (2009), Zimbabwe (2009), Kenya (2010), Tunisia (remaining gaps addressed in 2010), Yemen (2010), Monaco (2005, 2011), Senegal (2013) and Suriname (2014).

<sup>4</sup> Information about this campaign is available at: <http://equalnationalityrights.org>

<sup>5</sup> A table of the relevant legislative texts pre- and post-reform is provided in the Annex to this Good Practices Paper.

# Algeria

When Algeria became party to the CEDAW in 1996, it entered a reservation to Article 9(2). According to the Algerian Nationality Code then in force, an Algerian mother could only confer her nationality to a child if the father was stateless, unknown or a foreigner who was himself born in Algeria. Children born to an Algerian mother in Algeria of a foreign-born foreign father could apply to acquire Algerian nationality at majority, provided they had established habitual and regular residence in the country, and subject to the approval of the Minister of Justice.

After Algeria first appeared before it in 1999, the CEDAW Committee recommended in its Concluding Observations that the country reform its nationality law to comply with Article 9(2), in addition to implementing other gender-equality reforms to respect its CEDAW commitments. Algerian women's organizations then used the CEDAW Committee's recommendations to press the Government for comprehensive change. In 2003 the Government initiated a law reform process to examine a wide range of measures to improve gender equality. The same year, Algerian and French women's groups created the "20 Ans Barakat" movement, the title of which referred to the 20-year anniversary of Algeria's 1984 Family Code.<sup>6</sup>

By the time Algeria appeared for the second time before the CEDAW Committee, in January 2005, the Government had introduced a bill before Parliament to grant women nationality rights equal to those enjoyed by men. This was debated in the Parliamentary Committee on Juridical Affairs, where it benefited from several amendments aimed at strengthening women's rights. The President signed and promulgated the revised Nationality Code on 27 February 2005, the same day he signed and promulgated revisions to the Algerian Family Code.

The new Nationality Code repeals the limitations on Algerian mothers' ability to confer nationality on their children, replacing them with a simple overarching provision granting Algerian nationality to all children born in or outside Algeria to an Algerian mother or father without distinction. These revised provisions of the code apply with retroactive effect. As a result, individuals born to Algerian mothers and foreign fathers before the reform are also considered nationals; thus the reform not only serves to prevent future statelessness but also to resolve existing cases. Algeria subsequently lifted its reservation to CEDAW Article 9(2) in 2009.

# Morocco

Morocco too entered a reservation to CEDAW Article 9(2) when it became party to the Convention in 1993. Its Nationality Code at the time only permitted Moroccan women to confer their nationality in two circumstances: when a child was born to an unknown father, or born in Morocco to a stateless father.

Nationality law reform in Morocco was achieved as the result of high-level Government support and a sophisticated advocacy strategy implemented by Moroccan women's groups. The process began, however, with a grassroots campaign in 1992 focused on reforming the Moroccan family code, the *Mudawana*. In his first speech to the Moroccan Parliament in 1999, the King announced his support for gender equality. In this context, a coalition of women's groups issued a broad-ranging call for legal change. While this was endorsed by the Prime Minister, it was not universally welcomed in Moroccan society, and there were no immediate changes in law or policy.

Given the stalemate that ensued, in 2001 the King assumed leadership of his gender-equality initiative in his role as *Amir al-Mu'minin*, or Commander of the Faithful. He created a Commission, the *Oulema*, comprised of religious, legal and other experts to examine options for reforming the *Mudawana* in light of universal human rights standards and Islamic principles. The Commission embarked on a three-year process of consultations and analysis to propose revisions to the family code. In February 2004, the legislation to reform the *Mudawana* was unanimously passed by Parliament after the King endorsed the Commission's work.

<sup>6</sup> This movement gained prominence by producing a music video sung by women musicians from Algeria, France and Argentina promoting reform of the Algerian Family Code. The video was aired on radio and French television and widely disseminated on the internet. More about the impact of the music video on the law reform campaign can be found in the article, *Singing for Change, Women's Musicians Unite to Overturn Algeria's Family Code*, available at: <http://goo.gl/jnxAHI>

The revised family code enshrined the principle of gender equality and also became a rallying point for efforts to reform the Moroccan Nationality Code. Several additional factors helped this process. At the international level, Morocco appeared before the CEDAW Committee in 1997 and again in 2003, with the Committee issuing broad-ranging recommendations for law reform to comply with the Convention, including calling upon Morocco to bring its nationality laws into compliance with Article 9.

At the national level, political developments helped usher more women into the legislature, creating a more favourable environment for reform of the nationality law. Between 1999 and 2001, most political parties adopted internal quotas for women to play a greater role in party affairs. They also reserved national-level party seats for women. In the 2002 legislative elections, a record 35 women were elected to the 325-seat Chamber of Representatives.

Civil Society benefited from the emergence of several particularly effective good practices during the Moroccan Nationality Code reform campaign, which was led by the *Association Démocratique des Femmes du Maroc* (ADFM). One was the creation of a country-wide network of listening centres at the grassroots level where women married to foreigners and unable to pass their citizenship to their children were able to explain the law's impact on them and their families, including the resulting statelessness of many of their children. These testimonials were used in the campaign and affected families joined NGOs to pressure the Government for reform.

The campaigners also collaborated with reform-minded journalists to convey their message to different audiences within the Government. Campaign leaders met with various stakeholders, including parliamentarians, to influence the drafting of a reform bill and lobbied cabinet members, such as the ministers of Justice and Women's Affairs, to ensure their support for reform. This was accompanied by sustained coverage of their campaign via television, newspapers, magazines and radio that included explanations of the objectives of introducing gender equality into the Moroccan Nationality Code. Finally, the campaign organized a series of massive public rallies on the issue, including establishing a tent in front of the Parliament on Morocco's national day to highlight the fight to end discrimination against women.

Invoking again his role as *Amir al-Mu'minin*, the King gave a speech in July 2005 calling for the reform of Morocco's Nationality Code so that it conformed to the principle of gender equality. The Government then submitted a reform bill to Parliament for debate. In March 2007, the bill to amend the Nationality Code passed unanimously, granting Moroccan women the same rights as those enjoyed by men to confer nationality on their children, and with retroactive effect. The new provision sets out that a child born to a Moroccan father or a Moroccan mother is Moroccan. Morocco moved quickly to lift its reservation to CEDAW Article 9(2) in 2008. Outreach efforts by Moroccan women's organizations have helped ensure that the amended law has been successful in allowing Moroccan women to confer their nationality on their children, with documented improvements on the impact that citizenship has on the enjoyment of rights for the children concerned.<sup>7</sup>

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<sup>7</sup> For additional information, please see the report by the Women's Refugee Commission and Tilburg University, *Our Motherland, Our Country: Gender Discrimination and Statelessness in the Middle East and North Africa* (June 2013), available at: <http://www.refworld.org/docid/51c02a084.html>

# Senegal

Senegal's 1961 Nationality Code only allowed Senegalese mothers to confer their nationality on children born of stateless fathers or those of unknown nationality. The Code also contained complicated provisions distinguishing between children born in and out of wedlock. These provisions remained in place when Senegal became a party to CEDAW and later to the 1961 Convention on the Reduction of Statelessness.

In December 2011, at the UNHCR Ministerial Meeting commemorating the 50<sup>th</sup> anniversary of the 1961 Statelessness Convention, the Government of Senegal pledged to reform its nationality law to grant Senegalese women equal rights as men in their ability to confer nationality on their children. The Senegalese Government had already demonstrated a commitment to women's equality and empowerment. For example, the Parliament passed a gender parity law in 2010 requiring that women comprise 50 per cent of candidates presented by all political parties in local and national elections.

In 2012, the Ministry of Justice assumed leadership in implementing the Government's pledge to eradicate gender discrimination in its nationality law. It formed a Task Force made up of representatives from the Presidency, as well as the ministries of Justice, the Interior and Foreign Affairs. The Task Force completed a draft bill to reform the Nationality Code in August 2012. It then embarked on a consultative process to review the bill. UNHCR provided observations and suggestions on the draft.

In October 2012, the Ministry of Justice convened a high-level day of reflection to review the bill. Twenty members of the National Assembly were invited to take part in the discussions to pave the way for parliamentary review and approval of the bill. Women's groups, civil-society representatives, government officials and experts from the international community also contributed to these deliberations.

The Government took several recommendations and observations emanating from the day of reflection into account in revising the bill it submitted to the National Assembly. The revised bill not only eliminated gender-discriminatory provisions, it also eliminated distinctions between children born in or out of wedlock with regard to their right to nationality, besides other changes to help prevent statelessness. The bill was passed unanimously by the National Assembly on 28 June 2013 without debate and was promulgated by the President on 8 July 2013. The new provision established that any child born as a direct descendant of a Senegalese national is Senegalese.

Several factors contributed to parliamentary support for the bill. For one, the gender-parity law saw to it that the July 2012 legislative elections ushered in a record 65 women into the 150-seat National Assembly. Furthermore, Parliament was led by a coalition of parties that supported the Government's gender-equality platform.

Senegalese women's groups and civil society played an important advocacy role throughout the nationality law reform process. Even Senegalese women in the diaspora played their part, pressing the Government for nationality law reform on the margins of the United Nations General Assembly in September 2012 in New York. According to a representative of UN Women, the reformed nationality code could allow up to 2 million Senegalese women to confer their Senegalese nationality to their children.<sup>8</sup>

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<sup>8</sup> Please see Diaspora En Ligne, *Réforme du Code de la nationalité, un signe de la volonté d'en finir avec les discriminations*, available at : <http://goo.gl/v18dW5>

## HIGHLIGHTS OF THE ARAB WOMEN'S RIGHT TO NATIONALITY CAMPAIGN<sup>9</sup>

- A **coalition of women's rights organizations** in the Middle East and North Africa (MENA) has worked since 2002 to achieve gender equality in nationality laws in the region.
- The initial phase of the Campaign involved comprehensive reviews of each country's nationality laws and how they were applied in practice. This informed **research-based advocacy**.
- **Regional networking** has allowed for the sharing of information on areas of opportunity and ways to overcome obstacles. It has also helped improve the planning of campaigns tailored to unique national contexts. Successful law reform in certain countries in the region has had knock-on effects, promoting reform in neighbouring countries.
- **Engagement with the CEDAW Committee** is a key component of all national campaigns.
- The Campaign promotes **dialogue with governments** at the national level and the forging of partnerships with sympathetic policy-makers.
- Effective use of the **media and social networking** has drawn attention to the Campaign at both the national and regional levels.
- The launch of the Campaign coincided with **important donor support at the regional and national levels**, based on donors' acknowledgement of the importance of gender equality in nationality matters for women's empowerment.
- **The Campaign continues** in countries that have yet to achieve reform, as well as to ensure implementation in countries where the laws have been amended. It receives ongoing support from international NGOs, including the Women's Learning Partnership, and collaborates with other regional gender-equality platforms.

A key driver of nationality law reform in the MENA region has been the Arab Women's Right to Nationality Campaign. An overview of the genesis of this Campaign helps to show how success was achieved at the national level and can serve as a model for further initiatives.

In 2002, under the initiative of the Collective for Research and Training on Development-Action (CRTD.A), a Lebanon-based NGO, a loose coalition of women's rights NGOs from across MENA met at a workshop in Morocco hosted by the *Association Démocratique des Femmes du Maroc* (ADFM). The NGOs identified unequal treatment of women in nationality laws as the heart of women's social disadvantage in the region. The coalition anchored its Campaign on the fact that although most Arab countries were party to the CEDAW, many had entered reservations to Article 9(2) to avoid changing nationality laws that discriminated against women. Acknowledging the shared challenges in achieving women's equality in the MENA region, while recognizing that each country presents unique circumstances and opportunities, the NGOs decided to join efforts to seek gender equality in nationality laws.

The start of the Campaign in 2002 coincided with increased donor interest in women's empowerment in the Arab region. Understanding that the right to nationality is often the foundation for enjoying other rights, in 2001 the Programme on Governance in the Arab Region (POGAR) of the United Nations Development Programme (UNDP) and the International Development Research Centre (IDRC)<sup>10</sup> launched the Gender and Citizenship Initiative.<sup>11</sup> The aim was to support partnerships and build the capacity of women's groups in the region, as well as to fund advocacy-oriented research.<sup>12</sup>

<sup>9</sup> Please see CRTD.A's Arab Women's Right to Nationality Campaign website, available at: <http://crtda.org.lb/project/22>

<sup>10</sup> The International Development Research Centre (IDRC) is a long-standing partner of CRTD.A. Its website is available at: <http://www.idrc.ca/EN/Pages/default.aspx>

<sup>11</sup> A copy of the UNDP/POGAR and IDRC report launching their Gender and Citizenship Initiative, *Women are Citizens too: The Laws of the State, the Lives of Women* (December 2001), is available at: <http://goo.gl/Zi0vMk>

<sup>12</sup> The theme was further endorsed in the Regional Arab Human Development Report in 2002, co-sponsored by the Arab Bureau of the United Nations Development Program (UNDP) and the Arab Fund for Economic and Social Development, which identified women's empowerment as one of three key deficits to overcome in the Arab world.



Grassroots mobilization organized by the Lebanese-based Collective for Research and Training on Development-Action (CRTD.A) and attended by families campaigning for the equal treatment of women and men in nationality legislation. © CRTD.A

Given the synergies in the various national NGOs' common interests and goals, the Gender and Citizenship Initiative funded two phases of the Arab Women's Right to Nationality Campaign's work, the first from 2002-2004 and the second in 2006-2008. The first phase allowed for national NGOs in the coalition to conduct research and analysis on gender inequality in citizenship matters – both in law and in practice – in their respective countries. This led to the publication of a synthesis report in 2004.<sup>13</sup> Against the backdrop of this baseline research, the second phase of the project focused on elaborating advocacy strategies at both the country and regional levels to achieve nationality law reform.

Support for the Arab Women's Right to Nationality Campaign contributed to the development of a dynamic coalition working across Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Syria, Tunisia and Yemen, with more limited outreach in other States. The Campaign has fostered the sharing of information on the challenges faced in each country and strategies to overcome them, while garnering support for efforts at the national level. Coalition members have developed country-specific legal-reform initiatives, undertaking activities promoting policy debate and coalition-building with national parliamentarians, unions and lawyers. The organizations have submitted shadow reports to the CEDAW Committee to highlight inequality in national laws, thereby increasing pressure through this international body. The Campaign also appealed to the Arab League to promote nationality law reform at the regional inter-governmental level.

<sup>13</sup> The synthesis report by CRTD.A, *Denial of Nationality: the Case of Arab Women* (February 2004), is available at: <http://goo.gl/1LqNZk>

Promoting law reform through the media and awareness-raising efforts – such as rallies – is a hallmark of the Campaign’s strategy. The campaigners have also embraced social media to raise awareness of their objectives and improve coordination.

These efforts contributed to bringing about reforms that have introduced gender equality with respect to the right to confer nationality in Egypt (2004), Algeria (2005), Morocco (2007) and Tunisia (2010). All the Campaign partners acknowledge that Egypt’s pioneering reform helped pave the way for additional countries to follow suit in the region and that each success has had a knock-on effect, but note that reform has yet to be achieved in 12 countries in the MENA region. To change that, the Arab Women’s Right to Nationality Campaign continues to network, share information and strategize at the regional level, with support from the Women Learning Partnership’s “Claiming Equal Citizenship Campaign”<sup>14</sup> and the Arab regional Equality without Reservation Coalition.<sup>15</sup>

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<sup>14</sup> Information on this Campaign is available at: <http://www.learningpartnership.org/citizenship> Further information about ongoing national campaigns, such as the one in Lebanon led by CRTD.A entitled “My Nationality is a Right for Me and My Family” is available at: <http://nationalitycampaign.wordpress.com>

<sup>15</sup> Further information on this coalition, which calls for lifting CEDAW reservations, full implementation of CEDAW and ratification of the CEDAW-Optional Protocol is available at: <http://cedaw.wordpress.com>

# ANNEX: Relevant provisions of the Algerian, Moroccan and Senegalese Nationality Codes pre- and post-reform

Reformed Legislative Provisions	Previous Legislative Provisions
<b>Algeria</b> Date of Reform: <b>27 February 2005</b> (with retroactive effect)	
<p><b>Article 6<sup>16</sup></b></p> <p>A person is considered Algerian if he/she is born to an Algerian father or an Algerian mother.</p>	<p><b>Article 6<sup>17</sup></b></p> <p>The following are of Algerian nationality by descent:</p> <ol style="list-style-type: none"> <li>(1) the child born to an Algerian father;</li> <li>(2) the child born to an Algerian mother and unknown father;</li> <li>(3) the child born to an Algerian mother and stateless father.</li> </ol> <p><b>Article 7</b></p> <p>The following are of Algerian nationality by birth in Algeria:</p> <ol style="list-style-type: none"> <li>(2) the child born in Algeria to an Algerian mother and a foreign father who was born in Algeria, unless the child renounces Algerian nationality within one year preceding his coming of age.</li> </ol> <p><b>Article 9</b></p> <p>Algerian nationality by birth and residence in Algeria:</p> <p>Except when opposed by the Minister of Justice...the following acquires Algerian nationality if, within 12 months preceding his coming of age, he declares his intention to obtain this nationality and if, at the time of the declaration, he has his habitual and regular residence in Algeria:</p> <ul style="list-style-type: none"> <li>- A child born in Algeria of an Algerian mother and a foreign father himself born outside Algeria.</li> </ul> <p>The silence of the Minister of Justice, after a delay of 12 months from the time of completion of an application, indicates acquiescence.</p>
<b>Morocco</b> Date of Reform: <b>23 March 2007</b> (with retroactive effect)	
<p><b>Article 6<sup>18</sup></b></p> <p>Is Moroccan: a child born to a Moroccan father or a Moroccan mother.</p> <p>(The new provisions on the allocation of Moroccan nationality, under this article, by the birth of a Moroccan mother, are applied to all persons born before the date of publication of this Act)</p> <p><b>Article 7</b></p> <p>Is Moroccan, a child born to unknown parents in Morocco.</p>	<p><b>Article 6<sup>19</sup></b></p> <p>Is Moroccan:</p> <ol style="list-style-type: none"> <li>a. a child born to a Moroccan father;</li> <li>b. a child born to a Moroccan mother and unknown father.</li> </ol> <p><b>Article 7</b></p> <p>Is Moroccan:</p> <ol style="list-style-type: none"> <li>a. a child born in Morocco to a Moroccan mother and a stateless father;</li> <li>b. a child born in Morocco to unknown parents;</li> </ol>

<sup>16</sup> The text in this table represents an informal English translation. For the original French text, please see *Ordonnance n° 05-01 du 18 Moharram 1426 correspondant au 27 février 2005 modifiant et complétant l'ordonnance n° 70-86 du 15 décembre 1970 portant code de la nationalité algérienne*, 27 February 2005, available at: <http://www.unhcr.org/refworld/docid/447aa6514.html>

<sup>17</sup> For the original French text, please see *Ordonnance no. 70-86 du 15 décembre 1970 portant Code de la nationalité algérienne*, 18 December 1970, available at: <http://www.unhcr.org/refworld/docid/3ae6b52c4.html>

<sup>18</sup> For the original French text, please see *Maroc: Code de la nationalité marocaine (2011)* [Morocco], Dahir n. 1-58-250 du 21 safar 1378, 6 September 1958, available at: <http://www.refworld.org/docid/501fc9822.html>

<sup>19</sup> For the original French text, please see *Maroc: Dahir n° 1-58-250 du 21 safar 1378 (6 septembre 1958) portant la Code de la nationalité marocaine* [Morocco], 6 September 1958, available at: <http://www.refworld.org/docid/3ae6b5778.html>

Reformed Legislative Provisions	Previous Legislative Provisions
<b>Senegal</b> Date of Reform: 8 July 2013 (with retroactive effect)	
<p><b>Article 5<sup>20</sup></b> Any child born as a direct descendant of a Senegalese is Senegalese.</p> <p><b>Article 8</b> (Abrogated in full)</p>	<p><b>Article 5<sup>21</sup></b> A person is Senegalese if that person is:</p> <p>(1) a legitimate child of a Senegalese father;</p> <p>(2) a legitimate child of a Senegalese mother and a father with no nationality or of unknown nationality;</p> <p>(3) an illegitimate child of a Senegalese who was the first parent with whom filiation was established; or</p> <p>(4) an illegitimate child of a Senegalese who was the second parent with whom filiation was established, if the other parent is without nationality or of unknown nationality.</p> <p><b>Article 8</b> The following may opt for Senegalese nationality between the ages of 18 and 25 years:</p> <p>(1) A legitimate child born of a Senegalese mother and a father of foreign nationality; or</p> <p>(2) an illegitimate child of a Senegalese who was the second parent with established filiation, if the other parent is of foreign nationality.</p> <p>The option must be exercised by declaration before the President of the Departmental Court in the jurisdiction where the declarant resides. If the declarant is abroad, the declaration must be made before Senegalese consular agents. At the request of the President of the Departmental Court or of the consular agents, this declaration shall be registered with the Ministry of Justice.</p>

<sup>20</sup> For the original French text, please see *Loi 2013-05 portant modification de la loi no 61-10 du 7 mars 1961 déterminant la nationalité*, 8 July 2013, available at: <http://www.refworld.org/docid/51ed5ef14.html>

<sup>21</sup> For the original French text, please see *Loi n° 61-70 du 7 mars 1961, Code de la nationalité sénégalaise*, available at: <http://www.refworld.org/docid/46cebc2e2.html>