

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

# **Law on Citizenship of the Islamic Emirate of Afghanistan**

## **(English Translation<sup>1</sup>)**

### **Chapter One**

#### **General Orders**

##### **Article One**

This law has been developed for the regulation of the issues concerning acquiring or losing the citizenship of the IEA.

##### **Article Two**

1. Citizenship of the IEA is equal and similar for all the citizens.
2. A person holding the nationality of the IEA under the rules of this law is known as an Afghan.

##### **Article Three**

The expressions below in this law have the following interpretations:

1. Citizenship of the IEA: Political and legal relations of the person with the IEA.
2. Foreign: A person who does not have the citizenship of the IEA or a person with no citizenship.
3. Securing citizenship: Securing the citizenship of the IEA by the person asking for it.
4. Losing the citizenship: Abandoning or the citizenship of the IEA being forfeited.

##### **Article Four**

The citizen of the IEA is someone who:

1. Has been a citizen of the IEA prior to the establishment of this law.
2. Acquires citizenship of the IEA in accordance with the rules of this law.

---

<sup>1</sup> This English translation of the Law on Citizenship of the Islamic Emirate of Afghanistan, adopted on June 24, 2000, and published in the official gazette, was sourced from [Refworld](#) and accessed on August 6, 2024. ARLO team reviewed and improved the translation for accuracy, comparing it with the original source text. The original law should be consulted for official reference.

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Article Five**

A citizen of the IEA does not lose his/her citizenship by living abroad.

### **Article Six**

1. The citizen of the IEA living abroad is under the protection of the IEA.
2. The citizens of the IEA will not be handed over to a foreign country.

### **Article Seven**

Anyone who, according to the orders of this law, is a citizen of the IEA cannot hold a double citizenship position.

### **Article Eight**

A person who does not hold citizenship of the IEA and does not have strong documents proving his citizenship of another country is considered to be without citizenship.

## **Chapter Two**

### **Obtaining Citizenship of the Islamic Emirate of Afghanistan**

### **Article Nine**

1. Obtaining citizenship of the IEA, deprivation from it, or losing it can take place only if it is compatible with the tenets and principles of Islam.
2. A person born from parents holding citizenship of Afghanistan inside the territory of the IEA or abroad is considered to be a citizen of the IEA.

### **Article Ten**

(1) If, at the time of the child's birth, one parent holds citizenship of the IEA and the other holds citizenship of another country, the child is considered a citizen of the IEA under the following conditions:

1. If the child is born in the territory of the IEA.
2. If the child is born outside the territory of the IEA, but one of the parents permanently resides in the territory of the IEA.
3. If the child is born outside the territory of the IEA and both parents reside outside the territory of the IEA, the parents, by mutual consent, select the citizenship of the IEA for the child.

This document was translated by the International Development Law Organization (IDLO) for the Afghanistan Rule of Law Observatory (ARLO) initiative. To find out more about ARLO, please visit our website at [www.arlo.online](http://www.arlo.online).

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

(2) If a child who reaches the age of 18 submits a request pertaining to the acceptance of his/her parents' old (previous) citizenship within six months, his Afghan citizenship will be negated from the date of the approval of the application.

### **Article Eleven**

A child will be considered a citizen of the IEA regardless of birthplace, as long as one parent is an IEA citizen, and the other parent is either not a citizen or his/her citizenship is not established.

### **Article Twelve**

If a child is found in the territory of the IEA and his/her parents' documents proving their citizenship are not available, the child would be considered a citizen of the IEA.

### **Article Thirteen**

A child born to foreign parents in the IEA territory, who reaches 18 and intends to live permanently in the IEA, will be considered a citizen unless he/she requests citizenship of a foreign country within six months after turning 18.

Children of the delegations, heads, and members of the foreign diplomatic and consular missions and international organizations are exempted from this rule.

### **Article Fourteen**

Foreigners regardless of their ethnicity, linguistic relations, or sex and education can be accepted as citizens of the IEA.

### **Article Fifteen**

Those with no citizenship or citizens of other countries can obtain the citizenship of the IEA as follows:

1. After turning 18.
2. Applying to acquire citizenship of the IEA.
3. Living more than five years in the territory of the IEA.
4. The petitioner has not committed any crimes during his/her stay in the territory of the IEA.

### **Article Sixteen**

One spouse obtaining IEA citizenship does not impact the citizenship status of the other spouse or their children over 18.

This document was translated by the International Development Law Organization (IDLO) for the Afghanistan Rule of Law Observatory (ARLO) initiative. To find out more about ARLO, please visit our website at [www.arlo.online](http://www.arlo.online).

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Article Seventeen**

1. Children under 18 of parents who accept IEA citizenship will also become IEA citizens.
2. If one of the parents accepts citizenship of the IEA, his/her under-18 children who live with him/her are also considered citizens of the IEA.
3. The over 18 children living outside of the territory of the IEA whose parents have obtained the citizenship of the IEA can request the citizenship of the IEA and can obtain the citizenship.
4. If the children of the parents mentioned in the first and second part of this article after being 18 years of age and within six months submit an application declining their citizenship of the IEA, their Afghan citizenship would be turned down.

### **Article Eighteen**

If a foreigner marries a citizen of the IEA per the Islamic Sharia law, he/she can be granted Afghan citizenship upon submitting a written application according to Article seven of this law, with no regard to the period mentioned in the third part of the fifteenth article of this law.

### **Article Nineteen**

A person who holds no citizenship according to the testimonials and marries an Afghan citizen can be considered a citizen of the IEA.

### **Article Twenty**

1. Children under 18 years of age living with their foreign widow or widower parent, who marries an Afghan citizen and obtains citizenship of the IEA, can be considered Afghan citizens.
2. Children under 18 years of age living with one of their foreign-separated parents in the IEA, who marry an Afghan citizen and obtain Afghan citizenship, can be considered Afghan citizens. The under-18 children of such parents who do not reside in the territory of the IEA can obtain citizenship in the IEA based on the request of their parents and with the consent of their previous (separated) mother or father.
3. If the children submit a written application within six months after they turn 18 years old, declining their Afghan citizenship, their Afghan citizenship will be negated from the date of the approval of the application.

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Article Twenty-One**

1. Any foreign citizen who marries a citizen of the IEA, gets citizenship of the IEA, and later divorces his/her spouse or his/her spouse dies, can on his/her own get his/her previous citizenship restored considering the fourth Article of this law.
2. Children born as a result of such marriage who are under 18 can maintain their Afghan citizenship after the death of one of their parents.
3. If one of the parents is a citizen of the IEA and does not agree with the citizenship of his/her children in case of divorce, their children will be considered citizens of the IEA until the age of 18.

### **Article Twenty-Two**

The nationality of the IEA can also be obtained according to the norms predicted in international treaties unless they contradict the tenets of Islam.

## **Chapter Three**

### **Granting, Abandoning, Forfeiting, and Restoring the Nationality of the Islamic Emirate of Afghanistan**

### **Article Twenty-Three**

Only H.E. Amirul Momenin can grant someone the nationality of the IEA.

### **Article Twenty-Four**

1. The Council of Ministers and later Amirul Momenin can approve the application for abandoning the citizenship of the IEA
2. Citizenship can be forfeited after the verdict of an authoritative court.

### **Article Twenty-Five**

Renouncing Afghan citizenship cannot be accepted in the following situations:

1. If the applicant has not fulfilled his due duties and obligations towards the IEA.
2. If the applicant has financial responsibilities towards the Emirate institutions and service-oriented organizations, joint corporations, and other citizens and not fulfilling which would harm to above-mentioned sources.
3. Accused of and or indicted in criminal acts.
4. If abandoning his/her citizenship harms the security of the IEA.

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Article Twenty-Six**

One spouse renouncing IEA citizenship does not affect the citizenship of the other spouse and their children.

### **Article Twenty-Seven**

1. Whenever parents abandon the citizenship of the IEA, it would not affect the IEA citizenship of their children.
2. Whenever one of the parents abandons the citizenship of the IEA and the other maintains, their children will remain, citizens of the IEA, unless anticipated otherwise by the law.

### **Article Twenty-Eight**

If an IEA citizen marries a foreigner, he/she maintains his/her IEA citizenship. He/she can lose his/her citizenship only according to the orders of this law.

### **Article Twenty-Nine**

1. Anyone abandoning the nationality of the IEA is bound to sell his/her unmovable property within the country. If he fails to sell his property within one year of the approval of his request for abandoning his/her nationality, the Emirate will sell his/her property and assets and the money will be paid to him/her.
2. Orders mentioned in the first part of this article are implementable for those who lose their IEA nationality according to the rules in Articles seventeen, twenty, and twenty-one of this law.

### **Article Thirty**

A person holding the citizenship of IEA who illegally gets a foreign nationality does not lose his/her IEA nationality but cannot benefit from the privilege mentioned in the first part of Article Six of this law.

### **Article Thirty-One**

The nationality of a person can be forfeited in the following cases:

1. Convicted due to treason to the country and to the nation.
2. Serving the army of a government at war with Afghanistan.

### **Article Thirty-Two**

Any foreigner who has acquired the nationality of the IEA, during his/her stay in exile or

This document was translated by the International Development Law Organization (IDLO) for the Afghanistan Rule of Law Observatory (ARLO) initiative. To find out more about ARLO, please visit our website at [www.arlo.online](http://www.arlo.online).

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

during the period of stay in Afghanistan mentioned in the third part of Article Fifteen, and commits treason to the people of Afghanistan will lose his/her IEA nationality on the basis of the verdict of an authoritative court.

### **Article Thirty-Three**

Action regarding the assets and property of the person who loses his/her IEA nationality according to the rules of this law will be taken on the basis of the verdict of the court.

### **Article Thirty-Four**

Forfeiting the nationality of a person does not affect the nationality of his spouse and of his children.

### **Article Thirty-Five**

The IEA nationality of a person who has lost it and wants to restore it can be restored after the approval of the Council of Ministers and later by Amirul Momenin.

## **Chapter Four**

### **Ways to deal with citizenship issues**

#### **Article Thirty-Six**

Application for securing the nationality of the IEA is forwarded by the Ministry of Foreign Affairs to Amirul Momenin. A representative can forward the application of the applicant under the age of 18.

#### **Article Thirty-Seven**

A person who applies to restore or acquire the nationality of the IEA must complete the comprehensive citizenship form (Engate) and provide all relevant testimonials pertaining to their identity.

#### **Article Thirty-Eight**

The Ministry of Foreign Affairs and the Diplomatic and Consular missions of the IEA abroad must provide a receipt to the applicant upon receiving their citizenship application.

**Disclaimer:** This is an unofficial translation of an official document and is not endorsed or approved by any government agency. Every effort has been made to ensure accuracy however, some inaccuracies or differences in wording may exist.

---

### **Article Thirty-Nine**

1. The review of citizenship issues in the Islamic Emirate of Afghanistan is done by a competent commission.
2. Members of the competent commission reviewing issues concerning citizenship in the IEA comprises those from the Supreme Court, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Interior Affairs, and Directorate General of the Intelligence.
3. The commission preliminarily studies the applications and proposals pertaining to citizenship and later submits them to the Amirul Momenin for final decision.
4. Applications pertaining to restoring and forfeiting citizenship are first studied by the commission and later submitted to the Council of Ministers.

### **Article Forty**

1. The decision to grant citizenship by Amirul Momenin is announced through a decree.
2. Amirul Momenin approves restoring or abandoning the citizenship of the IEA after the approval of the Council of Ministers.

## **Chapter Five**

### **Final Provisions**

#### **Article Forty-One**

In cases where this law's rules conflict with international conventions or agreements between the IEA and a foreign country, a mutual agreement based on the principles of Islam will take precedence.

#### **Article Forty-Two**

This law takes effect from the date of its publication in the official gazette. It supersedes the law issued on 29th Hût 1370 HS (March 19, 1992) in issue no. 763 of the official gazette of the Republic of Afghanistan regarding citizenship rules.