

Reforming Citizenship Law: Reports from Tunisia, Algeria, and Egypt

The following three public presentations on the experiences of reforming nationality law were given at a workshop entitled "Towards Reforming the Nationality Law in Lebanon" held in Beirut on March 10, 2009. The workshop was organized by the United Nations Development Programme (UNDP) and the National Committee for the Follow Up on Women Issues within the "Lebanese Women Rights and the Nationality Law" Project.

The Tunisian Experience: Citizenship Law in Tunisia: Framework, Progress and Dimensions

Boutheina Gribaa

Tunisia and the International Law on Women's Rights

Tunisia joined the international movement supporting human rights in general and women's rights in specific in the second part of the last century with the introduction of the Universal Declaration of Human Rights in 1948. In addition to modifying its domestic law in compliance with the Declaration, Tunisia has signed many treaties that aim at eliminating all forms of discrimination against women.

One of these treaties concerns the citizenship of married women signed on November 21, 1967 and the other concerns consensual marriage, minimum marriage age, and marriage registration (Copenhagen Treaty) which Tunisia signed on November 21, 1967 and published in the National Gazette on May 4, 1968. These treaties also include one on women's political rights and another on children's rights signed respectively on November 21, 1967 and on November 29, 1991.

Since these treaties contained general and abstract rules that were more like guidelines in most of their articles, national authorities took it upon themselves to turn these principles into clear and detailed rules by writing legal texts and to find structures

and mechanisms that would guarantee that these general principles were carried out on the ground.

In 1985, Tunisia signed the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which was published in the Tunisian National Gazette in 1991. At that time, the socio-political climate was favorable for Tunisia to take part in the Convention due to the direct reforms the country witnessed following the changes of 1987. Moreover, the social context required to implement the Convention's laws supporting gender equality in the family as well as in society was available. The availability of this favorable condition in 1991 was due mostly to the fact that the Personal Status Law had been passed over 30 years ago. This law radically and completely prohibited polygamy (having many wives) and arbitrary divorce by institutionalizing judicial divorce. The law also set the minimum age of marriage for both males and females and allowed women to file for divorce just like men. Consequently, this law contributed to making Tunisian society accept and implement gender equality as part of every day reality.

Tunisian Law on Women and International Law

Following the publication of CEDAW in the Tunisian National Gazette, legislators became aware that there were gaps in Tunisian positive law. They also noticed the conflict between some national laws and certain clauses in the convention. These laws, therefore, had to be revised in order to agree with the content of the convention.

In response, the head of state in 1991 allowed the setting up of a study committee that included legal experts, sociologists, experts on jurisprudence, and Islamic *shari'a* specialists as well as representatives of civil society. This study committee was formed to present proposals on how to develop laws concerning the introduction of mechanisms and measures that would help improve women's situation.

On August 12, 1991, the President declared in his speech on the occasion of International Women's Day that measures would be taken in order to support Women's Rights and eliminate discrimination against them in accordance with the clauses of the CEDAW. These measures took into account the following major principles:

- Communicating with reform movements aiming to liberate Tunisian women. These movements emerged in the beginning of the 20th century with Al-TaHER Al-Haddad and continued with Habib Bourkeba and Ben Ali.
- *Ijtihad*, a task assigned by the former president Habib Bourkeba to all the experts in order to put in place a Personal Status Law in 1956. The study committee had to develop laws brought about by president Zein Al Abdeen Ben Ali in 1991. The committee had to review many laws concerning women including the citizenship law.
- Consistency between national and international law (signed treaties, in specific) and "purging" national laws of any content that would compromise women's rights.

Citizenship Law and its Amendments

Before 1993, the citizenship law stated in its sixth chapter that Tunisian citizenship can be granted to a person based on lineage:

- Child whose father is a citizen of Tunisia;
- Child whose mother is a citizen of Tunisia and whose father is unknown or stateless (regardless of the child's country of birth);
- Child of a Tunisian mother and a foreign father (upon request of the father)

Thus, the principle was to recognize the child's kinship as related to his father's. As for the mother's citizenship, it would only be passed on to

her children in exceptional cases or based on the principle of *jus soli*.

The priority given to the father in passing on his citizenship caused a lot of controversy insofar as it was considered a form of sexual discrimination which the Copenhagen Treaty was specifically meant to eliminate. In fact, the second article of the latter mandates that the states parties "take all necessary measures including modifying or repealing current laws, policies and practices that discriminate against women".

Article 9 of the aforementioned treaty declares that "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".

The Tunisian legislation prior to 1993 consecrated the principle of the woman keeping her citizenship after marriage while allowing her to obtain the Tunisian citizenship in case the law of her country of origin deprived her of her original citizenship (chapter 13 of the citizenship law). It also allowed her to keep her maiden name after marriage, thus promoting recognition of both parents separately and their ability to grant their children their respective nationalities. However, priority was given to the father in giving his children his nationality while the mother could only do so if her children were born in Tunisia.

This situation pushed feminist groups and women's associations in Tunisia to act, led by the League of Women Lawyers, which is part of the Union of Tunisian Women (UNFT). Campaigns by the Al-TaHER Al-Haddad group also played a role, benefitting from the political climate of openness, which came about with the change of November 1987. The mobilized parties demanded that the citizenship law be modified and that discrimination against women be abolished so that women would have the same right as men to give their nationality

to their children even if the latter were born outside of Tunisia to a non-Tunisian father.

It is to be noted that the feminist movement based its [lobbying/advocacy] on a series of factors, especially:

- The incompatibility between the law and the principle of equality stated in CEDAW on the one hand and the personal status law which promotes equality on the other hand
- The sense of patriotism and of belonging among children, considering that the legislator gives only the father the possibility to anchor the sense of patriotism and of belonging in his children knowing that the mother plays an important role in developing that sense in the children.
- The demand of Tunisian women married to non-Tunisians that they be able to give their children the Tunisian citizenship so that “their daughters can fully enjoy the Tunisian Personal Status Law”.

With the conclusions reached by the study committee which was formed in 1991 to look into a series of legal amendments, Parliament undertook to revise chapter 12 of the Citizenship Law under the Law of July 12, 1993. The Law then stated that children can acquire the nationality of their Tunisian mother even if they had been born outside of Tunisia on the condition that they request it in a statement during the year before they reach adulthood. If the child is under 19, he/she may obtain the Tunisian citizenship simply by submitting a joint statement from both his/her parents.

This condition that the statement be joint was in some cases an obstacle to the child obtaining the nationality in cases where the father was deceased, missing, or lacked legal capacity. To avoid such situations, Parliament introduced law No. 4 in 2002 which was issued on January 21, 2002 to amend chapter 12 and which stated that it sufficed that the mother submit the above statement in cases where the father is deceased, missing, lacked legal capacity, or in situations where it is impossible to obtain a joint statement.

It is important to note here that, in compliance with these amendments, the electoral law was modified and the conditions to enjoy suffrage included

children of Tunisian women as well as of Tunisian men. Thus, modifying the citizenship law also supported the cause of gender equality in the realm of politics.

However, the demands of the feminist movement in Tunisia were not limited to the above. Women activists continued defending their cause to achieve full gender equality, particularly in the area of citizenship:

1. The Tunisian Parliament has to date not been faced with situations where it was impossible to obtain a joint statement. Nevertheless, if both parents are alive but separated by divorce it is hard to conceive that they might issue a joint statement. It is also impossible to do so if the mother is deceased, missing, or lacks legal capacity. And so the law should mention that the statement is valid even when presented by only one of the living parents.

2. It is also to be noted that a Tunisian man married to a non-Tunisian woman can automatically pass on his nationality to his wife if she has lived in Tunisia for 2 years. By contrast, a Tunisian woman can only give her nationality to her non-Tunisian husband if he has lived in Tunisia for at least 5 years. Changing this inequality requires a Presidential decree.

We can conclude from what was mentioned above that citizenship laws have moved forward considerably in achieving gender equality concerning granting citizenship, whereby the mother's nationality is no longer a secondary or supplementary criterion which needs to be combined with the criterion of *jus soli* to make a valid reason for children to acquire the Tunisian citizenship. It has become an independent and self-sufficing criterion.

Nevertheless, the following question arises: could the changes brought to the Tunisian Citizenship Law encourage Tunisia to withdraw its reservations to Article 9 of the CEDAW? Furthermore, have these amendments helped eliminate discrimination against women completely?

The answer to both questions is “no” because withdrawing Tunisia's reservations and completely

eliminating discrimination against women requires that children be given the Tunisian citizenship solely on the basis of having a Tunisian mother without having been born on Tunisian soil or asking for the father's approval in a joint statement.

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The Algerian Experience: Modifications to the Algerian Citizenship Law

Nadia Ait Zai

A child has the right to belong to a country. Citizenship is considered to be a continuous state of allegiance and a source of duty as well as of rights whereby individuals belong to an organized political community. Citizenship is also the possibility for each individual to be a titular of rights. Citizenship defines the concept of "legal personality" i.e. the legal status of an individual and his/her aptitude.

The right to nationality is a fundamental condition of citizenship.

After achieving the country's independence in 1962, laws in Algeria (1963-1979) witnessed the emergence of two principles that were mentioned in The Hague Convention on Nationality in 1930: "every person should have a nationality" and "no person should have more than one nationality".

The Nationality Law of 1970 clearly and specifically affirmed its will to protect the Islamic society. Citizenship is confirmed through the existence of at least two [predecessors] on the father's side. These two predecessors should have been born in Algeria and should be Muslim. Therefore, the Algerian legislator exclusively took into consideration the traditional means to grant citizenship by jus

sanguinis and by jus soli. According to one critic, "jus sanguinis has been favored to jus soli although the latter plays an important role in the law". This principle is reiterated in Article 6 of the Citizenship Law which defines Algerian citizenship as a bond of filiation. A person has the right to citizenship through filiation:

- A child born to an Algerian father.
- A child born to an Algerian mother and an unknown father.
- A child born to an Algerian mother and a stateless father.

The right to jus sanguinis is linked to the requirement of being a Muslim through two predecessors in order to be granted citizenship which is the ideal way to protect the Algerian Muslim community.

Jus soli is complementary to jus sanguinis in the Algerian law. Paragraphs 1 and 2 of Article 7 consider as Algerian "the child born in Algeria to anonymous parents on the condition that he/she has no proven filiation to a foreigner" and "the child born in Algeria to an Algerian mother and a foreign father born in Algeria unless the child has not waived his/her right during the year preceding his/her adulthood".

The Algerian legislator has tried to restrict cases of statelessness through acknowledging as an Algerian citizen "the child born in Algeria to an Algerian mother and a stateless father", as stated in paragraph 3 of Article 6, as well as the "child born in Algeria to anonymous parents". In this case, the child would be considered as never having been Algerian if his/her filiation to a foreigner is proven before he/she reaches adulthood and if he/she is granted the foreign parent's nationality through a national law that this parent conforms to".

Modifications to the Citizenship Law

The decree issued on February 27, 2005 which has brought changes to the citizenship law allows for consistency with international conventions Algeria has adopted, particularly CEDAW and the Convention on the Rights of the Child. The decree set adulthood at the age of 19 and cancelled

Article 3 which had made acquiring the Algerian citizenship dependant on wavering the nationality of origin.

Acquiring Nationality through Filiation

Henceforth, the Algerian nationality is to be granted to children born to an Algerian father or an Algerian mother. This reform is fundamental since the Algerian nationality is given equally to children born to an Algerian father or Algerian mother. It should also be noted that granting the nationality to a child born to an Algerian mother is not restricted by any reservations. Hence, the threat of having their nationality wavered or revoked is impossible because in the 1970 Citizenship Law, granting nationality through the mother, was auxiliary. It has been previously mentioned that citizenship is given to a child born to an Algerian mother and a stateless father or to an anonymous mother, but can be taken back in case either parent has a reversal of status. The mother is now entitled to pass on her nationality to her children just as the father is. This modification infringes Article 14 of the Family Law which ties the child to his father exclusively. The legislator needs to look again into these provisions or even annul them.

Acquiring Nationality through Jus Soli

When it comes to acquiring nationality through jus soli, Article 7 of the new Law also adds the dimension of filiation to the mother. "A child recently born on Algerian soil has the right to the Algerian Nationality. The birth certificate will mention the name of the mother exclusively and there will be no mention of the nationality of the father. Moreover, a child born in Algeria to unknown parents will also get the Algerian Nationality". Some consider that this amendment helped achieve great progress towards gender equality in the field of filiation and allowed for a reexamination of the founding principle of the patriarchal Family Law. However, others consider that this reform has to do with personal status and is furthermore linked to natural and legitimate gender equality concerning citizenship through filiation. Provisions pertaining to "children born to an Algerian mother and an anonymous father" have been annulled. The modified Article 6 states simply

that "is considered an Algerian any child born to an Algerian mother or an Algerian father". One can conclude that a child born to an Algerian mother outside Algerian territory is considered an Algerian citizen despite the principle of jus soli. It is one of the new givens that allow for dual citizenship.

Acquiring Citizenship through Marriage

Recently Article 9 has been added to the 2005 decree which allows a foreigner to acquire the Algerian nationality through marriage to an Algerian. Apart from the general conditions of ethical conduct, actual residence in Algeria, means of subsistence, and absence of convictions, the main requirement for obtaining the Algerian nationality is a legitimate marriage. Some commentators noted that this condition contradicts Articles 30 and 31 of the family law.

Article 30 currently prohibits Muslim women from marrying non-Muslim men while Article 31 refers the issue of Algerians marrying foreigners to a regulatory law. The law of 1984 completely prohibits Muslim women from marrying non-Muslims. Now, legislators have allowed for the possibility to [take back their partners] thus rendering the marriage legitimate. In this case, children born into such marriages are treated equally. Religious affiliation concerns no one but the women themselves. It is important to note that the intertwining of the Algerian with the Muslim identity in the Family Law of 1984 and the Citizenship Law of 1975 has been removed by the new Family Law of 2005. Whether the marriage was legitimate or not, the children resulting from it are considered to be Algerian since their mother is Algerian. This is revolutionary for a Muslim country and for a patriarchal system.

This is due to the fact that Algeria has lifted its reservations on Article 9 of the CEDAW through a presidential decree.

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The Egyptian Experience: Modifications to the Citizenship Law in Egypt

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The Egyptian Constitution considers the issue of indiscriminate treatment of citizens an important one and has consequently allotted 2 articles for it. Article 40 stipulates that all citizens are equal before the law and have equal public rights and duties without discrimination due to sex, ethnic origin, language, religion, or creed. As for Article 11, it states that "The state shall guarantee coordination between a woman's duties towards her family and her work in the society, considering her equal to man in the political, social, cultural and economic spheres without prejudice to the rules of Islamic jurisprudence i.e. *sharia*". Egypt has ratified several international treaties which promote equality between all citizens and call for the protection of women and children's rights. Egypt also ratified the International Covenant on Civil and Political Rights in which Article 3 cites that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant". Article 9 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) states:

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.

The Egyptian government ratified CEDAW in 1981 at a time where Law No. 26 of 1975 concerning Egyptian nationality was still being applied. This law flagrantly discriminated against women since it deprived them of the right to give their citizenship to their children from a non-Egyptian father, as it is

clearly stated in the following articles:

Article 2:

Shall be considered an Egyptian:

- Whoever is born to an Egyptian father;
- Whoever is born in Egypt to an Egyptian mother and a father whose nationality is unknown or who is stateless;
- Whoever is born in Egypt to an Egyptian mother;
- Whoever is born in Egypt to unknown parents;
- A foundling in Egypt shall be considered as born in it, unless otherwise proved.

Article 3 states:

Shall be considered as Egyptian whoever is born abroad, of an Egyptian mother, and of an unknown father, or a stateless father, or whose nationality is unknown, if he chooses the Egyptian nationality, within one year from the date he comes of age, provided he shall advise the Minister of Interior of his choice, after making his regular residence in Egypt, and the Minister of Interior does not object thereto within one year from the date of receiving the notification.

Hence, Egypt has ratified the CEDAW convention with reservations to Article 9. Egypt has justified this reservation by claiming that its aim is to protect the child from having dual citizenship. It is in the interest of the child to have his/her father's nationality and not his/her mother's and that this does not go against the principle of gender equality because the Egyptian woman married to a foreigner must accept the reality that the child will assume the father's nationality.

While Law No. 26 of 1975 prevents the children of an Egyptian woman married to a foreigner from acquiring their mother's nationality, the law entitles the foreign woman married to an Egyptian man the right to obtain the Egyptian nationality. The law also grants Egyptian citizenship to the child of an Egyptian woman and a stateless father or a father whose nationality is unknown. It also gives the nationality to foundlings.

In 2004, the number of families with children who were denied the Egyptian citizenship because they

were born to an Egyptian mother and a foreign father due to Law No. 26 of 1975 was estimated at 298,000. Despite the fact that these families have been residing in Egypt for 10 years at least, their children faced economic, social, and psychological difficulties by being denied the Egyptian nationality. Hefty school and universities tuition fees need to be paid as well as other (normally) subsidized services which those children are deprived of. The biggest remaining problem is obtaining jobs as many of these children are forced to take jobs beneath their qualifications or look for a job abroad. Many of these children were born in Egypt and have spent their entire lives there, not knowing any other country and yet are frustrated and troubled by the fact that they are being treated as foreigners and not as Egyptians. One of the Egyptian women married to a foreigner said that in one of her son's classes a teacher asked that all the foreign students stand up and introduce themselves. This woman's four year-old son, despite having a foreign father, was born in Egypt and was unaware that he was considered a foreigner and so he did not stand up. The child was punished when the teacher found out his father was a foreigner. He went back home deeply distraught and his mother was unable to explain to him why he was different from the other Egyptian children and why he was considered a foreigner. Egypt continued to implement the Citizenship Law No. 26 of 1975 until 2004.

No doubt that recognition of the gap related to gender issues, which was openly discussed at the 1995 Fourth World Conference on Women in Beijing, shed light on many of the problems Egyptian women are faced with. Among these issues were the problems of Egyptian women married to foreigners whose children are denied the Egyptian citizenship. Many organizations shed light on this problem, such as the National Council for Childhood and Motherhood (NCCM) as well as the National Council for Women. Non-governmental organizations which defend women's human rights started paying special attention to this problem, especially in the second half of the nineties. Several of the NGOs sent a letter to the People's Assembly demanding the modification of Law No. 26 of 1975. In their letter, the NGOs said that the procedures adopted by the government to grant, in

some individual cases, the Egyptian nationality to the children of Egyptian women married to foreign men needed to be replaced by amendments to the law that would eliminate the discrimination against women which Law No. 26 embodies. Citizenship would therefore become a right for every child born to an Egyptian mother married to a foreigner, thus equating Egyptian women married to foreign men to Egyptian men married to foreign women. The letter was based on Article 40 of the Egyptian Constitution that asserts equality between all citizens before the law and forbids discrimination in all its forms.

This letter was concurrent with the emergence of the network of NGOs brought together by Dr. Fatima Khafaji, director of the UNICEF Women's Program to shed light on the CEDAW treaty and to create public awareness that would support its implementation. This network decided to carry out a campaign and pressure the government to amend the Citizenship Law that clearly discriminates against Egyptian women. This network opened a communication channel between the National Council for Women, the National Democratic Party, the National Council for Childhood and Motherhood, as well as some members of both the People's Assembly and the *Shura* Council, in order to modify the law. This network caused several other NGOs to advocate the cause and demand that the law be changed. The seminars that took place to call for the amendment of the law included testimonials by Egyptian mothers married to foreigners of various nationalities, whose children were denied the Egyptian nationality. These mothers recounted the many problems and hardships they faced as a result of the denial of nationality rights to their children.

Other organizations joined the CEDAW network in Cairo as well as in other provinces. The Egyptian Organization for Human Rights issued a report that included cases of mothers suffering because of the implementation of the existing law. The campaign drove Egyptian President Hosni Mubarak then to declare in the annual reunion of the National Democratic Party in September of 2003 that the government will make the necessary amendments to the Egyptian Citizenship Law 26 of 1975. Subsequently, the Minister of Justice formed a

supreme committee which included legal experts and representatives of the Ministry of Interior, the National Council for Women, and of the National Council for Childhood and Motherhood. The deliberations of this committee led to the enactment of Law 154 of 2004 which was published in the National Gazette issue #28 on July 14, 2004.

Based on this new law, Article 3 of the 1975 law was repealed and Article 2 was amended:

Article 2: Is considered an Egyptian:

- A person born to an Egyptian father or an Egyptian mother;
- A person born in Egypt to unknown parents. A foundling in Egypt is considered to have been born in it unless proven otherwise.

If it is proven that someone has another nationality apart from the Egyptian one, pursuant to the provisions of the previous paragraph, this person has to declare his/her desire to give up his/her Egyptian nationality. For a minor, the declaration should be done by his/her legal guardian, his/her mother, or whoever is raising the minor in case the previous two are absent.

The minor who is no longer an Egyptian citizen has to declare his/her desire to reclaim the citizenship during his/her first year of adulthood, according to the provision of the previous paragraph.

A ministerial decree was issued on the procedures and dates pertaining to the implementation of the previous two paragraphs' provisions. Accordingly decisions on the loss of the Egyptian citizenship by renouncing, or on reacquiring it according to these provisions, should be carried out by the Minister of Interior.

Article 3:

A person, born to an Egyptian mother and a non-Egyptian father before the implementation of this law, has to declare his/her desire to have the Egyptian nationality and shall be considered Egyptian upon the issuing of a decision from the Minister or when a year has gone by after the submission of the declaration [if it has not been rejected through a decree]. Enjoying the Egyptian nationality according to the

previous paragraph allows minors to acquire the Egyptian nationality. As for adult children, they must follow the procedures previously mentioned to obtain the citizenship.

If a child born to an Egyptian mother and a foreign father who dies before the implementation of this law, this child can be granted the Egyptian nationality according to the provisions of the previous two paragraphs.

In all cases, declaring the desire to acquire the Egyptian citizenship for minors falls upon their legal guardian, mother, or their primary care-giver in case the last two are absent.

In the week following the declaration of the Egyptian President to amend the nationality law, the number of cases which sought to obtain the nationality was estimated at a thousand, with 25 percent of the cases being Palestinians. The Egyptian Minister of Interior stated that the modifications brought by the new law would not benefit children born to Egyptian women married to Palestinian fathers. He justified this position by saying that the League of Arab States had issued a decision in 1959 prohibiting Arab countries from granting their nationalities to Palestinians to preserve the latter's original identity. The representative of Palestine in the League of Arab States responded to this with a memorandum he addressed to both the League and to the Egyptian government in which he objected to the Minister of Interior's statement in which Palestinians were denied the right to benefit from the new amendments of the 2004 law. He also objected to the use of the League of Arab States' resolution since it was supposed to merely be a recommendation and not a full-fledged, binding resolution.

Nevertheless, the amendment to the Citizenship Law brought great joy to most of the families concerned. However, the conditions and requirements asked for in order to benefit from it were crippling for many of these families. For instance, if the person applying for citizenship is over 21 years of age (or the mother in case the applicant is still a minor) he/she has to submit all sorts of papers and documents showing the place and date of birth,

the original nationality, religion and place of work, both parents' place and date of birth, the birth certificate of the mother's father, the mother's ID card as well as the marriage certificate. Moreover, the applicant (or his/her mother) should present his/her foreign passport, a copy of it, an [attestation of high school graduation], 4 passport photos and a copy of the criminal record for applicants above 16 years of age. All applicants should submit documents proving they had been living in Egypt for a minimum of 10 years before applying for the Egyptian citizenship. The application costs 50 Egyptian pounds and the applicant pays 1200 Egyptian pounds upon obtaining the nationality.

One of the mothers said to a reporter from *Al-Ahram* weekly: "I went to great lengths and struggled to get all the papers and documents they required, but I am most grateful if my son is granted the Egyptian nationality and is treated as an Egyptian citizen. He was not allowed to participate in a national tennis tournament because his father is South-African".

Some families filed a complaint objecting to the payment of the 1200 Egyptian pounds fee needed in order to obtain the nationality. Consequently, the Minister of Interior cancelled the fee, but there are still restrictions concerning who gets to obtain the nationality according to the law of 2004. For example, the applicants obtaining the nationality can only practise their political rights five years after they had been granted the nationality. Furthermore, they are not eligible to be members in the People's Assembly unless 10 years have passed since they became Egyptian citizens. The law also gave those desiring to apply for the nationality a year's time to submit their application after which they are not entitled to it any longer. Among the most difficult conditions imposed was the requirement that the applicant present a document certifying that he/she is working and not unemployed, and that he/she does not suffer from any disabilities. The condition that the applicant be working constituted a great obstacle since the Egyptian official bodies only hire Egyptian citizens and the private sector refrains from employing non-Egyptians. Also, excluding people with disabilities

and preventing them from benefitting from the new law goes against the principle of equality as respected in both the Egyptian Constitution and the Universal Declaration of Human Rights.

The Egyptian Government justifies its strict stance in asking for many documents, which are hard to obtain, by claiming that it seeks to preserve national security and aims to limit population growth. It also said it was preventing rifts in loyalty within the family as the children would find themselves confused since the father should be the role model and his country should be the one the children have a sense of allegiance to.

The following table shows the number of people born to Egyptian mothers and foreign fathers who had obtained the Egyptian citizenship by January 20, 2008.

Country	Number	Country	Number
Sudan	257	Kenya	2
Syria	74	France	2
Jordan	84	Belgium	1
Yemen	66	Saudi Arabia	6
Iraq	66	Mauritania	3
Libya	66	Somalia	2
Lebanon	13	Nigeria	8
Bahrain	4	Eritrea	1
Algeria	8	Mali	1
Morocco	1	Greece	1
Tunisia	6	Germany	3
Kuwait	2	Great Britain	13
Iran	2	Italy	5
India	3	Switzerland	2
China	5	Canada	6
Yugoslavia	1	United States	6
Djibouti	1	Turkey	4
Ethiopia	1	Pakistan	6
Qatar	1	Chad	1
Oman	1		
Austria	2		

Some newspapers wrote that the Egyptian government should make it up to the Palestinians by treating Palestinian students (at all academic levels, in schools and universities) as Egyptians citizens with respect to tuition fees.

The law gave to those who did not have all the necessary requirements for becoming Egyptian citizens the right to object. Hence, many lawsuits were filed against the Minister of Interior and the head of the Travel Documents, Immigration and Nationality Administration (TDINA). Consequently, the Administrative Court issued a verdict in many cases (where the lawsuit was accepted in form and in content) whereby the Minister of Interior's decree that children of an Egyptian mother and a Palestinian father cannot become Egyptian was annulled with all the ensuing amendments. [This verdict also obligated the TDINA Administration to

pay for the incurred expenses. Furthermore, the law does not allow the foreign husband of an Egyptian woman to obtain the Egyptian citizenship as it does for foreign women married to Egyptian men. It can be concluded that the amendments brought forth by Law 154 of 2004 were a great step towards eliminating one of the forms of discrimination against Egyptian women which have prevailed for a long time, mostly preventing their children from foreign men from obtaining the Egyptian nationality. Nevertheless, there are still many discrepancies that need to be dealt with such as forbidding the foreign husband from obtaining the Egyptian nationality, delaying the children's right to practise their political rights, bypassing the law when the father is Palestinian, and requiring a large number of documents.

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