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Algeria: Citizenship

The following note describes the requirement for obtaining Algerian citizenship.

The note is based on information from a meeting with the Algerian Ministry of Justice in Algiers in June 2023.

There are two ways of obtaining Algerian citizenship; original citizenship where the citizenship is obtained via parental relations from either the mother or the father or from naturalisation.¹

Dual citizenship is recognised in Algeria. A person can choose to keep a second citizenship when becoming an Algerian citizen.²

An Algerian citizen can prove his/her nationality with a certificate of nationality. The certificate of nationality is issued at the court and stamped with the seal of the president of the issuing court.³

Original nationality

Original nationality is based on the person's father and/or mother's nationality and on the person's ancestor's nationality.⁴

Before 2005 original Algerian nationality was only granted to a person, if the person's father, and his ancestors, was of Algerian nationality. Nationality was not granted to a child if only the mother was Algerian citizen.⁵

In 2005, the law of original nationality was amended which gave women the right to pass on their Algerian citizenship to their children, also if the father of the child was not an Algerian citizen. The law has been implemented with retroactive effect,

¹ Ministry of Justice, Algiers, June 2023.

² Ministry of Justice, Algiers, June 2023.

³ Ministry of Justice, Algiers, June 2023.

⁴ Ministry of Justice, Algiers, June 2023.

⁵ Ministry of Justice, Algiers, June 2023.

meaning that children born before 2005, where only the mother is Algerian citizen, also obtain Algerian citizenship based on their mother's citizenship.⁶

However, if only the parents (or one of them) are Algerian nationals, and not the two generations before the Algerian mother and/or father, the child cannot be regarded as original Algerian citizens.⁷

This means that in addition to the person's mother and/or father being Algerian citizen, the person's grandparents, in the line of the parent with Algerian nationality, is also required to be Algerian citizens. According to the Ministry of Justice, it has to be two generations of male ancestors after the Algerian mother and/or father who are required to be Algerian citizens (father and grandfather of the parents /grandfather and great-grandfather to the person applying for citizenship). As a further specification, the Ministry of Justice adds, that one of the two required male ancestors can also be prior generations to the person's grandfather and great grandfather e.g. the person's grandfather and great-great-grandfather.⁸

To prove the nationality of the mother and/or father, birth certificate of one or both is required. It is also required to prove the nationality of the ancestors with an Algerian birth certificate. In special cases where the birth of one of the ancestors is not registered, a death certificate from that person can be accepted instead of a birth certificate. The death certificate serves as a proof that the person is related to Algeria. However, this is not the normal procedure.⁹

It is always the responsibility of the applicant to provide the required documentation including proof of nationality from the person's ancestors. If the required documents are destroyed (e.g. from a fire in the register in the registration office) a court can approve the loss of the documents, meaning that the person can apply without the lost documents.¹⁰

If the person lives abroad, he/she can appoint a lawyer to lead the case for him/her.¹¹

Since the process of central digital registration in Algeria, birth certificates can be obtained from all over of Algeria. Previously the person was required to go back to where he/she was registered in order to get a copy of a birth certificate.¹²

Third generation Algerian abroad can get Algerian nationality as long as the parents have registered themselves and the child with an Algerian consulate abroad.¹³

⁶ Ministry of Justice, Algiers, June 2023.

⁷ Ministry of Justice, Algiers, June 2023.

⁸ Ministry of Justice, Algiers, June 2023.

⁹ Ministry of Justice, Algiers, June 2023.

¹⁰ Ministry of Justice, Algiers, June 2023.

¹¹ Ministry of Justice, Algiers, June 2023.

¹² Ministry of Justice, Algiers, June 2023.

¹³ Ministry of Justice, Algiers, June 2023.

Children born in Algeria of unknown parents is granted Algerian citizenship. If the father is unknown and there is no information about the mothers' nationality a child are also granted Algerian citizenship.¹⁴

If the mother and/or father is Palestinian, the child is registered as Palestinian national and does not obtain Algerian citizenship. This also applies if one of the parents is Palestinian and the other parent is unknown.¹⁵

An Algerian citizenship will never be taken from a person, even if the citizenship was granted because the parents' nationality was unknown, and they afterward found the nationality of the parents.¹⁶

Naturalisation

Obtaining Algerian citizenship by naturalisation is a presidential decree and not a court decision, and can be granted in the following three scenarios:¹⁷

- 1: Marriage to an Algeria citizen (husband or wife).
- 2: Seven years of legal stay in Algeria.
- 3: Special service to the country e.g. fighting in the revolution or scientific discovery.

After the decree finalized, and citizenship by naturalisation is given, the person is issued an extract. The specific information on the extract depends on the issuing office and can therefore vary. However, the following information is included: decree number, full name, parent's names, and date of birth. Sometime address is also included.¹⁸

It is possible to apply for the extract from abroad at Algerian embassies. Signatures at certificates provided electronic can be printed. The document can be legalised by the MFA.¹⁹

The extract is only issued to people obtaining citizenship by naturalisation and not citizens with original citizenship. The extract is signed and stamped by the Ministry of Justice.²⁰

The extract is issued in two copies: one for the court archive, and one for the applicant. Based on the extract the person can have a nationality certificate issued and based on the nationality certificate the person can have an Algerian ID card and national passport.²¹

Children of naturalised parents (mother and/or father) under the age of 19 (legal age) can be given Algerian citizenship. They are required to present the extract of

¹⁴ Ministry of Justice, Algiers, June 2023.

¹⁵ Ministry of Justice, Algiers, June 2023.

¹⁶ Ministry of Justice, Algiers, June 2023.

¹⁷ Ministry of Justice, Algiers, June 2023.

¹⁸ Ministry of Justice, Algiers, June 2023.

¹⁹ Ministry of Justice, Algiers, June 2023.

²⁰ Ministry of Justice, Algiers, June 2023.

²¹ Ministry of Justice, Algiers, June 2023.

the naturalised parent to the relevant Algerian authorities. After the age of 19, the child has to apply for citizenship for themselves.²²

Registration in the civil registry after obtaining Algerian citizenship by naturalisation can be done by proxy with a power of attorney signed at a notary public.²³

²² Ministry of Justice, Algiers, June 2023.

²³ Ministry of Justice, Algiers, June 2023.

References

Oral sources

Ministry of Justice (June 2023): Interviewed in Algiers, Algeria.