



Belarus – Researched and compiled by the Refugee Documentation Centre of Ireland on 4 February 2015

Whether an Israeli citizen born in Israel in 1997 whose mother migrated to Israel under the Law of Return in 1991 from Minsk, Belarussia, when that was still part of the Soviet Union, is automatically entitled to Belarussian and/or Russian Citizenship or is eligible to apply for either of them.

Article 6. “Retention of Citizenship of the Republic of Belarus” of the citizenship law of Belarus states:

“Residence of a citizen of the Republic of Belarus in a foreign country shall not by itself be the cause of loss of the citizenship of the Republic of Belarus.”
(Republic of Belarus (4 January 2010) *Law of the Republic of Belarus on the Citizenship of the Republic of Belarus (2010 edition)*)

Article 11. “Non-recognition of Foreign Citizenship as related to a Citizen of the Republic of Belarus” states:

“Foreign citizenship of a citizen of the Republic of Belarus shall not be recognized unless international treaties provide otherwise. Citizens of the Republic of Belarus who also have other citizenships, may not for that reason be limited in rights or evade duties or be exempt from liability ensuing from the citizenship of the Republic of Belarus.” (ibid)

Article 13. “Acquisition of the Citizenship of the Republic of Belarus by Birth” states:

“A child shall obtain the citizenship of the Republic of Belarus by birth provided that on the date of the child’s birth: at least one of the child’s parents is a citizen of the Republic of Belarus regardless of the child’s place of birth.”
(ibid)

Article 14. “Admission to Citizenship of the Republic of Belarus” states:

“Any person who has reached 18 years of age may apply for admission to citizenship of the Republic of Belarus, provided that he/she: observes and respects Constitution of the Republic of Belarus, the other legislative acts of the Republic of Belarus, undertakes the responsibility to follow and respect the Constitution of the Republic of Belarus and other legislative acts of the Republic of Belarus; knows at least one official language of the Republic of Belarus within communication limits; resides in the Republic of Belarus after being granted permanent residence permit for the duration of the seven years uninterruptedly, except the cases provided in the Part 3 of this article. The period of the residence on the territory of the Republic of Belarus is considered to be uninterrupted if a person was leaving the territory of the

Republic of Belarus for the total period of time of no more than three months during each year; has legal source of income which provides him/her and incapacitated members of the family who depend on him/her minimum wage of living stipulated in the Republic of Belarus; does not have citizenship or will be losing foreign citizenship in case of acquisition of citizenship of the Republic of Belarus or has submitted to a competent agency of a foreign country an application on renunciation of nationality that he/she has, except for cases when renunciation of citizenship is impossible for reasons outside of person's control." (ibid)

This article also states:

"Persons who were granted refugee statue in the Republic of Belarus may be admitted to citizenship of the Republic of Belarus after seven years of their recognition as refugees and provided they have followed the conditions of Paragraphs Two, Three, Five and Six of Part One of this Article. The length of residence established in Paragraph Four of Part One of this Article may be shortened or never applied for: Belarusians and for persons who identify themselves as Belarusians, their descendants (direct blood relatives: children, grandchildren, great grandchildren) born outside the contemporary territory of the Republic of Belarus; persons who have outstanding merits to the Republic of Belarus for high achievements in the areas of science, technology, culture or sport, or those who possess a profession or qualification of public interest to the Republic of Belarus; foreign citizens or stateless persons who have previously been citizens of the Republic of Belarus. Admission to the citizenship of the Republic of Belarus is being organized taking into consideration the interests of the Republic of Belarus." (ibid)

The 2013 US Department of State country report on Belarus, in a section titled "Children" (paragraph headed "Birth Registration") states:

"Citizenship is derived either by birth within the country's territory or from one's parents. A child of a citizen is a citizen regardless of place of birth, even if one of the parents is not a citizen." (US Department of State (27 February 2014) *2013 Country Reports on Human Rights Practices – Belarus*, p.39)

An Immigration and Refugee board of Canada (IRB) response to a request for information on loss, acquisition and holding of Belarus citizenship prior to August 2002 states:

"Consular staff at the Embassy of Belarus in Ottawa stated during an 11 September 2002 telephone interview that from 1991 until August 2002, Belarus citizens who acquired the citizenship of another country would be required to relinquish their Belarus citizenship." (Immigration and Refugee board of Canada (17 September 2002) *Belarus: Whether a citizen of Belarus who migrated to Israel in 1993 would have lost his or her Belarusian citizenship*)

See also IRB response which states:

"In August 2002, Belarus passed a new citizenship law that stipulates that the Government could no longer ask Belarusians to surrender their Belarusian citizenship once they had become citizens of another country (including Israel). Between Belarusian independence, in 1991, and August 2002 this

was not the case, and when a person received another citizenship, the Government of Belarus asked them to renounce their Belarusian citizenship.” (Immigration and Refugee board of Canada (14 November 2005) *Belarus: Whether Belarusian citizenship is lost when a citizen migrates to another country, including Israel (September 2002 - November 2005)*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Immigration and Refugee board of Canada (14 November 2005) *Belarus: Whether Belarusian citizenship is lost when a citizen migrates to another country, including Israel (September 2002 - November 2005)*

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Immigration and Refugee Board of Canada

Lexis Nexis

Refugee Documentation Centre Query Database

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