

Immigration and Refugee Board of Canada
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> Responses to Information Requests

Responses to Information Requests

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16 December 2009

BOL103332.E

Bolivia: Citizenship law, including methods by which a person may obtain citizenship; whether dual citizenship is recognized

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to Chapter I of the Title V (Nationality and Citizenship) of the New Constitution of the State (*Nueva Constitución Política del Estado*),

[Translation]

Chapter I - Nationality

Article 141.

I. Bolivian nationality is acquired by birth or by naturalization. Persons are Bolivian by birth if they were born in Bolivian territory, except for the children of foreign personnel on diplomatic mission, or if they were born abroad to a Bolivian mother or father.

Article 142.

I. Foreigners may acquire Bolivian nationality by naturalization if their situation is legal, they have lived in Bolivia for more than three years without interruption under the supervision of the Bolivian government, they expressly declare that they wish to obtain Bolivian nationality and they meet the legal requirements.

II. The period of residence will be reduced to two years for foreigners who are in any of the following situations:

1. They have a Bolivian spouse, Bolivian children or Bolivian foster parents. Foreign citizens who acquire citizenship by marriage to a Bolivian citizen do not lose it if widowed or divorced.
2. They provide military service in Bolivia at the required age and according to the law.
3. They obtain Bolivian nationality from the Multinational Legislative Assembly for their service to [the] country.

III. The period of residence to obtain nationality may be modified on the basis of reciprocity agreements with other states, especially in Latin America.

Article 143.

I. Bolivians who marry foreign citizens do not lose their original nationality. Neither is Bolivian nationality lost by acquiring foreign citizenship.

II. Foreigners who acquire Bolivian nationality are not obliged to renounce their original nationality (Bolivia Oct. 2008).

Chapter II of the Title V of the Constitution states that

[Translation]

Chapter II - Citizenship

Article 144.

I. All Bolivians are citizens and exercise their citizenship from the age of 18 years, regardless of their education, occupation or income.

II. Citizenship includes:

1. The right to vote and to be elected to public office, and
2. The right to employment in the public service with no requirement other than suitability, except as provided by law.

III. The rights of citizenship are suspended for the reasons and in the manner provided in article 28 hereof (ibid.)

According to article 28 of Chapter III (Civil and Political Rights) of the Constitution,

[Translation]

Article 28.

The exercise of political rights is suspended in the following cases, upon conviction, until the sentence has been served:

1. Taking up of arms and providing services in enemy armed forces during times of war.
2. Theft of public resources
3. Treason (Bolivia Oct. 2008).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Reference

Bolivia. October 2008. Ministerio de la Presidencia. *Nueva Constitución Política del Estado*. Translated from Spanish to English by the Multilingual Translation Directorate, Translation Bureau, Public Works and Government Services Canada.

<<http://www.presidencia.gob.bo/download/constitucion.pdf>> [Accessed 27 Nov. 2009]

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