

Rwanda

Ministerial Order relating to Rwandan Nationality

Ministerial Order 7 of 2022

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Rwanda

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The Minister in the Office of the President;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 121, 122 and 176;

Pursuant to Organic Law n° 002/2021.OL of 16/07/2021 governing Rwandan nationality, especially in Articles 7, 22, 25, 26, 27, 30, 40, 41, 43 and 47;

After consideration and approval by the Cabinet, in its meeting of 04/03/2022;

ORDERS:

Chapter One

General provisions

Article One – Purpose of this Order

This Order determines the following:

- 1° the conditions and modalities for applying for Rwandan nationality by origin;
- 2° the conditions and procedure for applying for Rwandan nationality by acquisition;
- 3° the format of the Rwandan nationality certificate;
- 4° the competent authority to administer the oath to a person granted Rwandan nationality by acquisition and the procedure for administering the oath;
- 5° identification details of the person who is granted the Rwandan nationality by acquisition to be published;
- 6° the procedure for revoking Rwandan nationality by acquisition;
- 7° the conditions and procedure for applying for renunciation of Rwandan nationality;
- 8° the procedure and requirements to apply to renounce or recover Rwandan nationality by origin;
- 9° the fees paid for application provided for by this Order;
- 10° the procedure for declaring dual nationality.

Article 2 – Definition of the term “Organ”

In this Order, the term “Organ” means the Directorate General in charge of Immigration and Emigration in Rwanda.

Chapter II

Conditions and modalities of applying for Rwandan nationality

Article 3 – Application for Rwandan nationality by origin

A person who applies for Rwandan nationality by origin submits to the Organ the following:

- 1° proof that the person was born to a Rwandan parent who is a Rwandan national not through acquisition but by virtue of Rwandan ancestry;
- 2° indication of a foreign country where the person was born from and that he or she has never been legally recognised as a Rwandan;
- 3° written testimony of the person or of another person corroborated with evidence proving the relationship linking him or her with Rwanda, or the proof of a relative who is Rwandan national by origin;
- 4° proof of payment of application fee.

Article 4 – Application for Rwandan nationality on grounds of birth on the territory of Rwanda

A person who applies for Rwandan nationality on grounds of birth on the territory of Rwanda submits to the Organ the following:

- 1° application letter;
- 2° birth record;
- 3° proof of payment of application fee;
- 4° passport copy or copy of residence permit if the person resides in Rwanda.

Article 5 – Application for Rwandan nationality on grounds of residence in Rwanda

A foreigner applies for Rwandan nationality on grounds of residence in Rwanda submits to the Organ the following:

- 1° a birth certificate;
- 2° his or her personal profile;
- 3° proof of payment of application fee;
- 4° proof of lawful residence in Rwanda at least for the last fifteen (15) consecutive years.

Article 6 – Application for Rwandan nationality on grounds of adoption

A person who applies, on behalf of an adopted child, for Rwandan nationality on grounds of adoption, submits to the Organ the following:

- 1° application letter by the adopting person;
- 2° copy of identity card of the adopting person;
- 3° document issued by the competent organ proving that the applicant is accepted to be the adoptive parent of the child whose Rwandan Nationality is requested.

Article 7 – Application for Rwandan nationality on grounds of marriage

A person who applies for Rwandan nationality on grounds of marriage submits to the Organ the following:

- 1° application letter;
- 2° marriage certificate;
- 3° proof of payment of application fee;
- 4° copy of identity card of the Rwandan spouse;
- 5° passport copy or copy of residence permit, if the person resides in Rwanda.

Article 8 – Application for Rwandan nationality on grounds of foundling

A person who applies for Rwandan nationality, on behalf of and on the ground of a foundling, submits to the Organ the following:

- 1° application letter;
- 2° a written summary on circumstances and place where the foundling was found.

Article 9 – Application for Rwandan nationality on grounds of statelessness

A person who applies for Rwandan nationality on grounds of statelessness submits to the Organ the following:

- 1° application letter;
- 2° recommendation letter by the local administrative entity.

Article 10 – Application for Rwandan nationality by an immigrant

An immigrant who applies for Rwandan nationality submits to the Organ the following:

- 1° a birth certificate;
- 2° his or her personal profile;
- 3° a copy of residence permit, if the immigrant resides in Rwanda;
- 4° proof of payment of application fee;
- 5° a written statement of his or her personal circumstances which details the inability to fulfil the requirements for applying for Rwandan nationality by acquisition on the other admissible grounds.

Article 11 – Application for Rwandan nationality on grounds of national interest

A foreigner who applies for Rwandan nationality on grounds of national interest submits to the Organ the following:

- 1° a birth record;
- 2° his or her personal profile;
- 3° a copy of residence permit, if the foreigner resides in Rwanda;
- 4° proof of payment of application fee;
- 5° a letter from a relevant organ addressed to the Organ, describing the national interest that justifies the granting of Rwandan nationality to the applicant.

Article 12 – Application for Rwandan nationality on grounds of sustainable investment or activities

A foreigner who applies for Rwandan nationality on the basis of sustainable investment or activities submits to the Organ the following:

- 1° a birth certificate;
- 2° his or her personal profile;
- 3° a copy of residence permit, if the foreigner resides in Rwanda;
- 4° proof of payment of application fee;
- 5° proof of properties owned;
- 6° proof of registration as an investor in Rwanda;
- 7° proof of sustainable activities in Rwanda.

Article 13 – Application for Rwandan nationality on grounds of special skills or talent

A foreigner who applies for Rwandan nationality on grounds of special skills or talent submits to the Organ the following:

- 1° a birth certificate;
- 2° his or her personal profile;
- 3° a copy of residence permit, if the foreigner resides in Rwanda;
- 4° proof of payment of application fee;
- 5° a commitment letter that affirms the applicant shall use the special skills or talent in the interest of Rwanda.

Article 14 – Request for additional information

The Organ assesses the application and may request for additional information from the applicant if considered necessary.

Article 15 – Application modalities

The applicant for Rwandan nationality submits the application, in writing or electronically, to the Organ or to the diplomatic mission of Rwanda in a foreign country.

Article 16 – Rwandan nationality certificate

A person granted with Rwandan nationality by origin or by acquisition is issued a certificate of Rwandan nationality which contains the following:

- 1° certificate number;
- 2° a passport photo of the person who is granted the nationality;
- 3° names of the person who is granted the nationality;
- 4° date of birth of the person who is granted the nationality;

- 5° place of birth of the person who is granted the nationality;
- 6° type of nationality granted;
- 7° effective date of nationality;
- 8° legal basis of granting the nationality;
- 9° signature and stamp of the issuing authority.

The format of the Rwandan nationality certificate is in Annexed to this Order.

Chapter III

Administration of oath and identification details to be published

Article 17 – Taking oath by a person granted Rwandan nationality by acquisition

A person granted Rwandan nationality by acquisition takes oath in one of the Rwandan official languages.

A person granted Rwandan nationality by acquisition takes oath in public by holding the National flag with the left hand and raising the right hand.

A person who is not able to respect provisions of Paragraph 2 of this Article is facilitated to take oath in a favourable manner.

Article 18 – Competent authority that administers the oath

The District Mayor, the District Executive Administrator in the City of Kigali and the diplomat in charge of consular services in Rwanda Diplomatic Missions are the competent authorities to administer the oath of a person who is granted Rwandan nationality by acquisition.

Article 19 – Identification details to be published

Identification details of a person who is granted Rwandan nationality by acquisition published in the *Official Gazette* of the Republic of Rwanda are the following:

- 1° the person's names;
- 2° parents' names;
- 3° place of birth;
- 4° date of birth.

Chapter IV

Revoking Rwandan nationality by acquisition

Article 20 – Procedure for revocation of Rwandan nationality by acquisition

The Head of the Organ writes to the person who has Rwandan nationality by acquisition stating the intention and grounds for revoking the nationality.

The person who has Rwandan nationality by acquisition who is notified of the intention of revocation of the nationality has the right to present the grounds why the nationality should not be revoked within a period of fifteen (15) working days from the date of reception of the notice. When the grounds the person presented in defence against the intended revocation of nationality are inadmissible, the Head of the Organ prepares a

document with a summary of grounds for revocation of Rwandan nationality by acquisition for submission to relevant institution.

A person whose Rwandan nationality by acquisition is revoked ceases to be Rwandan from the date on which the Head of the Organ notified the person, in writing, of the Cabinet Meeting decision revoking his or her nationality.

The documents proving Rwandan nationality that were previously issued to the person whose nationality is revoked become invalid from the notification of the decision revoking the nationality and the person surrenders them to the Organ.

Article 21 – Publication of identification details of a person whose nationality is revoked

If the Rwandan nationality by acquisition is revoked, the following identification details of a person whose nationality is revoked are published in the Official *Gazette* of the Republic of Rwanda:

- 1° names of the person whose Rwandan nationality is revoked;
- 2° names of his or her parents;
- 3° place of birth;
- 4° date of birth.

Chapter V Renunciation and recovery of Rwandan nationality

Article 22 – Application for renunciation of nationality

A Rwandan national who applies for renunciation of Rwandan nationality submits to the Organ the following documents:

- 1° a copy of a document proving his or her Rwandan nationality;
- 2° a written statement motivating renunciation of nationality;
- 3° proof of possession or assurance of acquisition of another nationality.

Article 23 – Submission of application for renunciation to Cabinet

After the Organ has examined the application for renunciation of Rwandan nationality, the competent authority submits the application with sound basis to the Cabinet for approval.

Article 24 – Notification of approval of renunciation of nationality

The Organ notifies the successful applicant for renunciation of Rwandan nationality of the approval by the Cabinet of the application, and requests the applicant to return any official Rwandan nationality document to the Organ within a period not exceeding two (2) months from the date of notification.

Article 25 – Issuance of a certificate of renunciation of nationality

The Organ issues a certificate of renunciation of Rwandan nationality to the successful applicant upon return of all official Rwandan nationality documents.

Article 26 – Publication of identification details of a person who renounced nationality

The Organ publishes in the Official *Gazette* of the Republic of Rwanda identification details of a person who renounced Rwandan nationality.

Article 27 – Application for recovery of Rwandan nationality by origin

A person who applies for recovery of Rwandan nationality by origin submits to the Organ the following documents:

- 1° a birth certificate;
- 2° a copy of certificate of renunciation of Rwandan nationality;
- 3° a written statement on the reasons for application for recovery of Rwandan nationality;
- 4° proof of current nationality.

Article 28 – Submission of application for recovery of Rwandan nationality by origin to the Cabinet

After the Organ has examined an application for recovery of Rwandan nationality by origin, the competent authority submits the application with sound basis to the Cabinet for approval.

Article 29 – Notification of approval of recovery of Rwandan nationality by origin

The Organ notifies the successful applicant for recovery of Rwandan nationality by origin of the approval by the Cabinet meeting of his or her application within a period not exceeding two (2) months from the date of approval.

Article 30 – Publication of identification details of a person who recovered Rwandan nationality by origin

The Organ publishes in the Official *Gazette* of the Republic of Rwanda details of a person who recovered Rwandan nationality by origin.

Chapter VI Application fees and processing fee

Article 31 – Application fees for nationality

An applicant for Rwandan nationality by origin pays five thousand Rwandan francs (FRW 5,000) or its equivalent in foreign currency.

An applicant for Rwandan nationality by acquisition pays ten thousand Rwandan francs (FRW 10,000) or its equivalent in foreign currency.

Article 32 – Processing fee for nationality

A person who acquires Rwandan nationality pays a processing fee of one hundred thousand Rwandan francs (FRW 100,000) or its equivalent in foreign currency.

A person who acquires Rwandan nationality on the ground of foundling, honour, statelessness or adoption does not pay the fee provided for in Paragraph One of this Article.

Article 33 – Application fee for renunciation of nationality

An applicant for renunciation of Rwandan nationality pays one hundred and fifty thousand Rwandan francs (FRW 150,000) or its equivalent in foreign currency.

Article 34 – Exemption from payment of application and processing fees

The Head of the Organ may exempt an applicant from payment of application fee or processing fee, after consulting relevant institutions.

Article 35 – Payment of application fees

The application fees mentioned in this Chapter are paid in the Public Treasury.

Chapter VII Miscellaneous and final provisions

Article 36 – Modalities for declaration of dual nationality

A person who declares dual nationality fills a relevant form and submits it with proof of acquired nationality of another State.

A Rwandan who resides in Rwanda declares dual nationality at the Organ.

A Rwandan who resides abroad declares dual nationality at the nearest Rwandan diplomatic mission. The head of the diplomatic mission submits the declaration of dual nationality made to the diplomatic mission of Rwanda to the Organ within a period not exceeding thirty (30) working days from the date of the declaration.

Article 37 – Commencement

This Order comes into force on the date of its publication in the *Official Gazette* of the Republic of Rwanda.

Annex

Form

[Editorial note: The form have not been reproduced.]