

The Choice of Nationality

The Japanese government stipulates that a Japanese national also having a foreign nationality shall choose one of the nationalities within the period defined by law in accordance with the Nationality Law. In this article, we explain the procedure for doing so.

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A Japanese national having a foreign nationality (a person of dual nationality) has to choose one or other of the nationalities before he or she reaches twenty two years of age (or within two years after the day when he or she acquired the second nationality if he or she acquired such nationality after the day when he or she reached twenty years of age). However, because the age of adulthood set by the Civil Code has been lowered, since April 2022, a person of dual nationality must choose one or other of the nationalities before he or she reaches twenty years of age (or within two years after the day when he or she acquired the second nationality if he or she acquired such nationality after the day when he or she reached eighteen years of age).

In the event that the deadline for making this choice has elapsed, it is still necessary for those with dual nationality to choose either nationality. According to the Nationality Law, if a person fails to make the choice of nationality within the above-stated period, he or she may be served notice by the Minister of Justice to choose one of the nationalities the person possesses, and in the case that he or she does not choose Japanese nation-

ality within one month of receipt of this notice, in principle, once that period has elapsed, the person will be considered to have lost Japanese nationality.

I A PERSON WHO HAS TO MAKE THE CHOICE OF NATIONALITY

Examples of cases where a person is of dual nationality are as follows.

1 A person who was born of a mother having Japanese nationality and a father having a nationality of the foreign country (e.g. Kuwait) which adopts the “principle of paternal blood”^{*} as the rule of nationality.

^{*} The principle which entitles one to the nationality of his or her natural father.

2 A person who was born of a father or a mother having Japanese nationality and another parent having a nationality of the foreign country (e.g. Republic of Korea) which adopts the “principle of both-parental blood”^{*} as the rule of nationality.

^{*} The principle which entitles one to the nationalities of his or her natural parents.

3 A person who was born, of a father or a mother (or parents) having Japanese nationality, in a foreign country (e.g. the United States of America) which adopts the “principle of birthplace”^{*} as the rule of nationality.

^{*} The principle which entitles one to the nationality of a country where he or she was born.

4 A Japanese national who has acquired a foreign nationality as the result of the acknowledgment by a father of a foreign nationality (e.g. Canada), the adoption with a person of a foreign nationality (e.g. Italy), or the marriage to a person of a foreign nationality (e.g. Iran), etc.

5 A person who still possesses a foreign nationality after acquiring Japanese nationality by naturalization or a notification of acquisition of nationality.

II METHODS OF CHOICE OF NATIONALITY

Concerning the choice of nationality, a person should choose, of his or her own free will, by either of the following methods.

1 In the case of choosing the foreign nationality

(1) The method of renouncing Japanese nationality

A person is required to submit a notification of renouncing Japanese nationality, which shall be accompanied by a copy of the family-register, a document proving his or her domicile, and a document proving that the person possesses the foreign nationality, to the Legal Affairs Bureau or the District Legal Affairs Bureau which has jurisdiction over the person’s domicile (if living in Japan) or to the embassy or the consulate of Japan (if living abroad).

(2) The method of choosing the foreign nationality

If a person has chosen the foreign nationality in accordance with the laws of the



Character of the choice of nationality, Sentan

Choice of Nationality Procedure (Overview)

foreign country concerned, he or she is required to submit a notification of loss of nationality, which shall be accompanied by a document proving that the person has chosen the foreign nationality, to the office of a city, ward, town or village (if living in Japan) or to the embassy or the consulate of Japan (if living abroad). The person should consult with the government of the country in question, its embassy or consulate, regarding the procedures for choosing a nationality.

2 In the case of choosing Japanese nationality

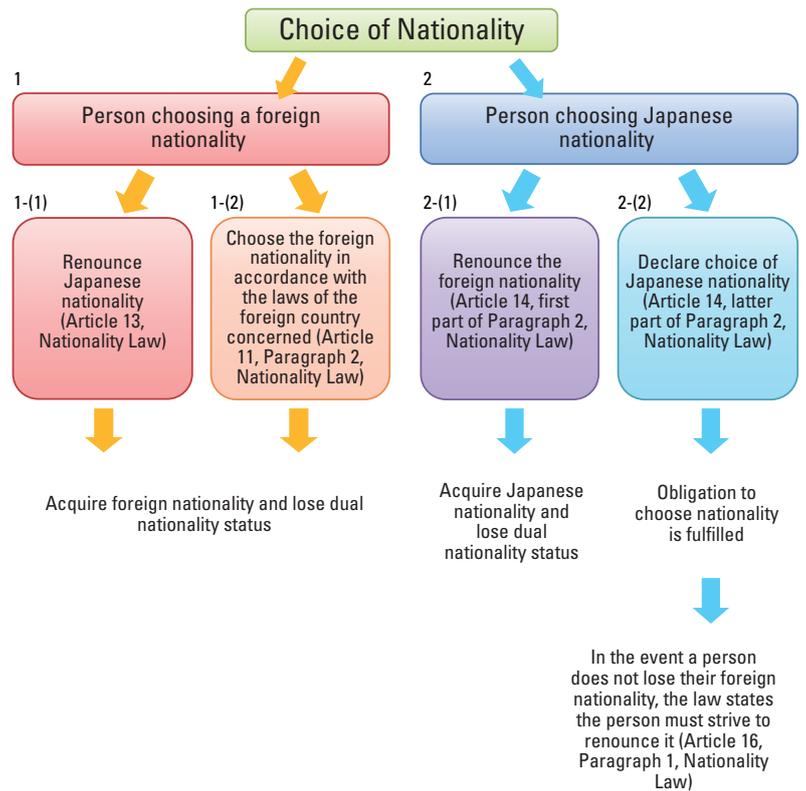
(1) The method of renouncing the foreign nationality

In the case where a person has renounced the foreign nationality in accordance with the laws of the foreign country concerned, he or she is required to submit a notification of loss of foreign nationality, which shall be accompanied by a document proving the loss of nationality, to the office of a city, ward, town or village (if living in Japan) or to the embassy or the consulate of Japan (if living abroad). For further details of the procedure for renouncing the foreign nationality, the person should make an inquiry to the government office, the embassy or the consulate of the foreign country concerned.

(2) The method of making a declaration to choose Japanese nationality

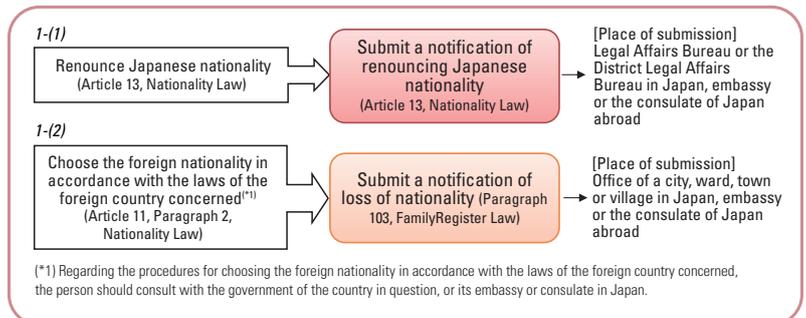
A person is required to submit a notification of a declaration to choose Japanese nationality, in which he or she swears to have chosen to be a Japanese national and that he or she renounces the foreign nationality, to the office of a city, ward, town or village (if living in Japan) or to the embassy or the consulate of Japan (if living abroad). If a person submits a notification of declaration to choose Japanese nationality, as it will be deemed that the person has fulfilled his or her obligation of choice the person will not receive any notice from the Minister of Justice. However, in the event that a person chooses Japanese nationality but does not lose his or her foreign nationality the law states that the person must strive to renounce the foreign nationality. ⁷⁾

Note: This article has been created with the consent of the Ministry of Justice and on the basis of materials published by the Ministry.



Specific method of the choice of nationality

1 Person choosing a foreign nationality (Two methods below)



2 Person choosing Japanese nationality (Two methods below)

