



EMBASSY OF THE REPUBLIC OF GHANA
BERLIN

PUBLIC NOTICE

DUAL NATIONALITY AND APPLICATION FOR DUAL CITIZENSHIP CARDS AND CERTIFICATES

THE MINISTRY'S ATTENTION HAS BEEN DRAWN TO COMPLAINTS BY SOME GHANAIS ABROAD ON THE IMPLEMENTATION OF THE SUPREME COURT'S DECISION IN THE CASE OF ASARE V ATTORNEY GENERAL [2012]1SCGLR, ON THE RIGHTS OF DUAL NATIONALS.

THIS MESSAGE SEEKS TO CLARIFY THE POSITION OF THE LAW.

PER THE RULING OF THE SUPREME COURT, GHANAIS WHO ARE ELIGIBLE FOR DUAL CITIZENSHIP UNDER THE PROVISIONS OF THE CITIZENSHIP ACT 2002 (ACT 591) ARE NO LONGER MANDATORILY REQUIRED TO APPLY FOR DUAL CITIZENSHIP CERTIFICATE OR CARD.

AS THE COURT HELD PER JUSTICE DATE-BAH (JSC) AT PAGE 535 OF THE ABOVE GHANA LAW REPORTS;

“To the extent that the administrative requirement referred to above is mandatory and conditions the exercise of the rights of dual citizens on it, I would regard it as unconstitutional. If the card is intended to be optional and to ease the exercise by dual nationals of their rights, then it would be constitutional. In other words, dual nationals are citizens by operation of the Constitution and do not need any mandatory documents before exercising their rights of citizenship, in the same way as sole citizens do not need any mandatory documents before exercising their rights as citizens. However, if the State wishes to assist dual nationals in the enjoyment of their rights by providing them with evidence of their dual nationality, this would be permissible”.

FROM THE FOREGOING, CONTRARY TO THE MISCONCEPTIONS OF SOME OF OUR COMPATRIOTS WITH DUAL NATIONALITY STATUS, OUR REPUBLIC IMPOSES NO FETTER OR CONDITIONS ON THE EXERCISE OF DUAL NATIONALS' RIGHTS AS CITIZENS, EXCEPT FOR APPOINTMENT TO SOME PUBLIC OFFICES OF GHANA (AS PER THE ATTACHED).

THAT SAID, THOSE IN NEED OF GHANAIAAN DUAL CITIZENSHIP CARDS AND CERTIFICATES AND APPLYING FOR SAME MAY DO SO ON THEIR OWN VOLITION AND FOR THEIR OWN BENEFIT.

FURTHERMORE, PER THE DIRECTIVE OF THE GHANA IMMIGRATION SERVICE, WHEN TRAVELLING TO GHANA, DUAL NATIONALS COULD HAVE THEIR GHANA PASSPORT, FOR ENTRY PURPOSES WITHOUT A VISA, AND THEIR OTHER PASSPORT, FOR EXIT OUT OF GHANA AND ENTRY INTO THE OTHER COUNTRY. THOSE TRAVELERS ARE TO PROVIDE BOTH PASSPORTS AT THE IMMIGRATION CHECK POINT UPON ARRIVAL IN GHANA.

HOWEVER, IN CASES OF COUNTRIES SUCH AS THE **FEDERAL REPUBLIC OF GERMANY, AUSTRIA, AND THE NETHERLANDS**, WHERE CITIZENSHIP LAWS DO NOT SUBSCRIBE TO DUAL NATIONALITY, GHANAIAANS WHO OPTED TO RENOUNCE THEIR GHANAIAAN NATIONALITY IN FAVOUR OF CITIZENSHIP OF THOSE COUNTRIES WOULD HAVE TO BEAR THEIR OWN RESPONSIBILITY OF TRAVELLING TO GHANA WITH THEIR OWN CHOICE OF TRAVELLING DOCUMENT.

AN ELECTION TO TRAVEL TO GHANA WITH A FOREIGN PASSPORT **WITHOUT A DUAL NATIONALITY CARD** WOULD AUTOMATICALLY REQUIRE A GHANAIAAN ENTRY VISA, NOT BECAUSE THE APPLICANT WHO RENOUNCED HIS/HER GHANAIAAN NATIONALITY IS BEING TREATED UNFAIRLY BUT IN VIEW OF THE ELECTION TO TRAVEL WITH A FOREIGN PASSPORT.



**EMBASSY OF GHANA
BERLIN**

2nd August, 2021

ANNEXURE

WITHOUT PREJUDICE TO ARTICLE 94(2) OF THE CONSTITUTION, NO CITIZEN OF GHANA SHALL QUALIFY TO BE APPOINTED AS A HOLDER OF ANY OFFICE SPECIFIED BELOW IF HE OR SHE HOLDS THE CITIZENSHIP OF ANY OTHER COUNTRY IN ADDITION TO HIS OR HER CITIZENSHIP OF GHANA:-

- a) CHIEF JUSTICE AND JUSTICES OF THE SUPREME COURT;**
- b) AMBASSADOR OR HIGH COMMISSIONER;**
- c) SECRETARY TO THE CABINET;**
- d) CHIEF OF DEFENCE STAFF OR ANY SERVICE CHIEF;**
- e) INSPECTOR GENERAL OF POLICE;**
- f) COMMISSIONER, VALUE ADDED TAX SERVICE;**
- g) DIRECTOR-GENERAL, PRISONS SERVICE;**
- h) CHIEF FIRE OFFICER;**
- i) CHIEF DIRECTOR OF A MINISTRY;**
- j) THE RANK OF A COLONEL IN THE ARMY OR ITS EQUIVALENT IN THE OTHER SECURITY SERVICES;**
- k) MEMBER OF PARLIAMENT;**
- l) COMPTROLLER GENERAL OR IMMIGRATION SERVICE; AND**
- m) ANY OFFICE SPECIFIED BY AN ACT OR PARLIAMENT.**