

NATURALIZATION

Convention signed at Managua December 7, 1908
Senate advice and consent to ratification January 21, 1909
Ratified by the President of the United States March 1, 1909
*Supplemented by convention of June 17, 1911*¹
Ratified by Nicaragua March 28, 1912
Ratifications exchanged at Managua March 28, 1912
Entered into force March 28, 1912
Proclaimed by the President of the United States May 10, 1912

37 Stat. 1560; Treaty Series 566

The President of the United States of America and the President of the Republic of Nicaragua, desiring to regulate the citizenship of those persons who emigrate from the United States of America to Nicaragua, and from Nicaragua to the United States of America, have resolved to conclude a Convention on this subject and for that purpose have appointed their Plenipotentiaries to conclude a Convention, that is to say: the President of the United States of America, John Hanaford Gregory Jr., Chargé d'Affaires ad Interim of the United States at Managua, and the President of Nicaragua, Rodolfo Espinosa R., Minister for Foreign Affairs, who having exchanged their full powers, found in good and due form have agreed to and signed the following articles.

ARTICLE I

1. Citizens of the United States who have been or may be voluntarily naturalized in Nicaragua in conformity with the laws thereof, shall be considered and treated by the Government of the United States as citizens of Nicaragua.

¹ TS 567, *post*, p. 377.

2. Reciprocally, citizens of Nicaragua who have been or may be voluntarily naturalized in the United States in conformity with the laws thereof, shall be considered and treated by the Government of Nicaragua as citizens of the United States.

ARTICLE II

1. If a citizen of the United States naturalized in Nicaragua renews his residence in the United States without the intention to return to Nicaragua, it shall be considered that he has renounced his citizenship in Nicaragua.

2. Reciprocally, if a citizen of Nicaragua naturalized in the United States renews his residence in Nicaragua without intention to return to the United States it shall be deemed that he has renounced his citizenship in the United States.

3. The intention not to return shall be deemed to exist when a person naturalized in one of the two countries resides for more than two years continuously in the other country; however, such presumption may be destroyed by evidence to the contrary.

ARTICLE III

A mere declaration of intention to become naturalized in either country shall not, in either country, have the effect of legally acquired citizenship.

ARTICLE IV

Citizens naturalized in one of the two countries and returning to the country of their origin shall be subject to trial and punishment in the latter for any punishable act committed before their emigration, but not for the act of emigrating itself, always excepting cases of limitation or any other remission of liability.

ARTICLE V

It is agreed between both parties to define the word "citizenship", as used in this Convention, to mean the status of a person possessing the nationality of the United States or Nicaragua.

ARTICLE VI

The present Convention shall be in force for a period of ten years from the date of the exchange of ratifications. If, one year before the expiration of this period, neither of the parties gives notice to the other that it shall expire, it shall continue in force until twelve months after such notice is given.

ARTICLE VII

The present Convention shall be ratified constitutionally by each country, and the ratifications shall be exchanged at Washington or at Managua within two years from date at the latest.²

DONE in Managua the seventh of December one thousand nine hundred and eight, sealed and signed in two copies of same tenor in English and Spanish.

JOHN HANAFORD GREGORY Jr. [SEAL]

RODOLFO ESPINOSA R. [SEAL]

² For an agreement prolonging period for exchange of ratifications, see supplementary convention of June 17, 1911 (TS 567), *post*, p. 377.