

ASGARDIA

THE SPACE NATION



CITIZENSHIP LAW

*Adopted at the First Session of the Parliament of Asgardia on
07 Asgard 0002 (24 June 2018), Vienna*

*Amended at the First Digital Session of the Parliament of Asgardia on
03-05 October 0002 (10-12 October 2018)*

CHAPTER I GENERAL PROVISIONS

■ Short Title Section 1

This Act may be cited as the Citizenship Act, 2018 (0002).

■ Objectives of the Act Section 2

The present Act is enacted in accordance with the principles and provisions laid down in the Declaration of Unity and the Constitution of Asgardia, and to govern matters related to the citizenship of Asgardia.

■ Scope of Application Section 3

1. This Act shall apply to all natural individuals who are citizens of Asgardia.
2. The Act shall apply to any territory of Asgardia, as dened in Section 5.

■ Commencement of the Act Section 4

The Act shall come into force on the day of receiving assent of the Head of the Nation (Decree) and subsequent notication to the public within reasonable time and through appropriate medium.

■ Definitions Section 5

1. In this Act, unless the context otherwise requires,

- a. “appropriate authority” means the appropriate department or ministry of the Government of Asgardia, notified as such.
- b. “annual citizenship fee” means the amount that every citizen has to pay every year as provided in Section 10 of this Act.
- c. “citizen” means a natural individual who is a citizen of Asgardia under the provisions of the Constitution and this Act. Legal personalities or association or body of individuals, whether incorporated or not, shall not be citizens unless provided for specifically through an act of Parliament.
- d. “Constitution” means the Constitution of the Space Kingdom of Asgardia.
- e. “certificate of citizenship” means a certificate of citizenship issued or granted under this Act.
- f. “certificate of renunciation” means a certificate of renunciation issued under this Act.
- g. “family” means a group of individuals living together, consisting of parents and their minor children, biological or adopted. In cases of single parent, the family shall consist of the parent and the minor child(ren).
- h. “guardian” shall mean guardian of an individual according to laws of guardianship of the State where the guardian is appointed.
- i. “individual” means a natural person.
- j. “minor” means an individual who has not attained the age of majority, which is eighteen years.
- k. “prescribed” means prescribed by rules and regulations made under this Act.
- l. “territory of Asgardia” means any territory over which Asgardia has jurisdiction and control or exercises sovereignty, either in space or on Earth.

2. For the purposes of this Act, an individual born on a ship, on board an aircraft or spacecraft, including aerospace vehicles, registered in and by Asgardia, under applicable international law and Asgardian law, shall be deemed to have been born in the territory of Asgardia.

■ Citizens and Non-Citizens Status

Section 6

There are four types citizenship status in Asgardia, each with different rights and obligations.

- a. A candidate citizen-resident is a potential citizen who has already applied for citizenship and is pending a final decision by the appropriate authority;
- b. A citizen is a natural individual under the provisions of the Constitution and the present Act;
- c. A suspended citizen is a citizen whose rights as a citizen have been suspended due to non-payment of citizenship fees, or due to other reasons;
- d. Any other inhabitant of Earth who is neither a citizen nor a candidate.

■ Special Nature of Citizenship of Asgardia

Section 7

1. The space citizenship of Asgardia is a special type of citizenship and does not contravene the nationality law or any other similar law of any Earthly State. In particular, space citizenship of Asgardia does not constitute dual or second

citizenship for the purposes of an individual's existing Earthly State citizenship. Unless otherwise stipulated by an international treaty to which Asgardia is a party, becoming a space citizen of Asgardia does not confer multiple citizenship status on a citizen of an Earthly State.

2. Asgardia may enter into treaties with Earthly States to protect its citizens from prosecution by the citizens' Earthly State of nationality or residence.

3. Until the time Asgardia obtains territory which is habitable by individuals, each citizen of Asgardia must also have citizenship (resident status) of an Earthly State.

■ Location of Citizens

Section 8

1. Asgardia recognizes that citizens possess the right to reside in Earthly States or in the territory of Asgardia, and respects their right of free movement between Earthly States in accordance with respective legal, organisational and physical capacities.

2. Residing in Earthly States is a natural right of the citizens of Asgardia. This innate right shall not deprive or diminish their rights or freedoms, suspend or terminate their Asgardian citizenship, or annul their obligations towards Asgardia.

■ Location of Citizens

Section 9

1. Each citizen shall submit their basic personal information as prescribed under subsection (2) of this provision to the appropriate authority.

2. Without prejudice to the generality of sub-section (1), each citizen shall submit the following minimum basic personal information to the appropriate authority:

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|---|---|
| a. Name; | f. Country of Earthly nationality; |
| b. Gender; | g. Country and city of residence; |
| c. Date of birth; | h. Electronic or digital address; |
| d. Primary language and additional languages, if any; | i. Postal address; |
| e. Electoral district according to language; | j. Photograph of complete face in the dimensions of a traditional passport photo. |

3. The appropriate authority shall ensure that the personal information provided under this Act is protected in the most secure manner possible, given the current state of technological encryption, within reason.

■ Annual Citizenship Fees

Section 10

1. Individual citizens, residents over the age of majority shall pay a sum in Asgardian currency anytime within each Asgardian year to the appropriate authority.

2. The first citizenship fee is due within 30 days of applying for citizenship.

3. Non-payment of the annual citizenship fee leads to temporary suspension of citizenship until such time the payment of the annual citizenship fee is paid. If non-payment of citizenship fee accrues for more than a year, then citizenship would be revoked.

4. The Parliament, at the request of the appropriate authority, shall have the power to amend and notify the revised amount of the annual citizenship fee.

5. In the period from 2018 to 2019 inclusive (years 0002 and 0003 by Asgardian calendar) annual amount of citizenship fee is set in the amount of 100 euros.

CHAPTER II ACQUISITION OF CITIZENSHIP

■ Modes of Acquisition of Citizenship

Section 11

Citizenship may be acquired by an individual exclusively through the following modes:

- a. Naturalization pursuant to Section 12;
- b. Birth to a parent who is a citizen at the time of the birth of the child. In the event the said parent dies after the child was conceived, the citizenship status of the child will be as if the death of the parent did not occur. In the event the parent dies prior to the child reaching the age of majority, the child shall be relieved from their obligation to pay an annual citizenship fee, as prescribed in Section 10, until such time as the child reaches the age of majority;
- c. Adoption by individual(s) who are citizens, provided that the adoption is valid in the State where adoption takes place;
- d. Birth in the territory of Asgardia;
- e. Marriage or established rules governing partnership to a citizen, provided that the marriage or partnership occurs after Asgardia obtains territory and the non-citizen spouse conforms to conditions laid down in sub-sections (2) and (5) of Section 12.

■ Issuance of Certificate of Citizenship for Naturalization

Section 12

1. Any individual can become a citizen through the process of naturalization provided in this section.

2. An individual applying for citizenship must meet all of the following conditions:

- a. Not be a minor;
- b. Assents to the Declaration of Unity of Asgardia;
- c. Adheres to the Supreme Values of Asgardia;
- d. Agrees to adhere to and abide by the Constitution and laws of Asgardia, including and not limited to all acts and regulations passed by Parliament;

- e. Consciously submits their digital personal data to Asgardia's space database. The nature and extent of the personal data to be submitted by each applicant shall be prescribed by the appropriate authority and shall be in accordance with general international law and regional legal systems;
- f. Agrees to pay the annual citizenship fee;
- g. Conforms to any other condition prescribed under this Act or by a respective body, which may include requirement of any passing of a test of citizenship by an individual.

3. An application for citizenship (residentship) shall be made online through the website www.asgardia.space.

4. The appropriate authority has the power to prescribe fees for the application for citizenship, for production and delivering identity cards, passports and for performing other forms and modes of due diligence.

5. An individual who makes an application for citizenship must answer truthfully all questions related to the application that are put to them.

6. A certificate of citizenship shall be granted to an individual within reasonable time, if the conditions in sub-sections (2), (3), (4) and (5) of this section are met.

7. The appropriate authority may reject an application on the following grounds:

- a. Lack of infrastructure to grant citizenship;
- b. Public interest;
- c. National security;
- d. Interest of maintaining democracy and rule of law;
- e. Criminal record of the applicant;
- f. Prior acts of terrorism or anything incidental by the applicant;
- g. Any prior action by applicant that the appropriate authority deems to be non-peaceful, excluding acts by individuals who are/were members of the security or armed forces of an Earthly State or the peacekeeping force of the United Nations in their official capacity or applicable international law;
- h. Any other condition the Government of Asgardia deems appropriate.

8. Notwithstanding anything stated above, a minor may become a citizen if his or her parents are citizens and agree that the minor conforms to all the conditions laid down in this section. In case there is a single parent, the appropriate authority shall have the power to relax the condition of assent to the conditions stated in this section requiring agreement by the parent/s.

9. Notwithstanding anything stated above, the appropriate authority may relax the conditions provided in sub-section (2) of this section for an individual of unsound mind.

■ Citizenship Status of the First Citizens

Section 13

1. The first citizens, residents of Asgardia who became citizens, residents prior to coming into force of this Act shall continue to remain citizens, provided that they meet the conditions laid down in sub-section (2) and (5) of Section 12, including abiding to and adhering to the Declaration of Unity of Asgardia, the Constitution and other laws of Asgardia and agreeing to pay the annual citizenship fee.

2. Asgardian citizens, residents who submitted their applications for citizenship prior to 24 June 2018 (7 Asgard 0002) shall receive the additional benefit of not having to pay the annual citizenship fee until after 30 December 2018 (28 December 0002).

3. Asgardian citizens who submitted their applications for citizenship prior to 24 June 2018 (7 Asgard 0002) and who made a donation to Asgardia prior to 24 June 2018 (7 Asgard 0002), shall receive the additional benefit of not having their pay the annual citizenship fee until after 30 December 2019 (28 December 0003).

■ Special Circumstances

Section 14

Notwithstanding any other provision of this Act to the contrary, the appropriate authority may, in its discretion, grant citizenship in the following instances:

- a. To alleviate cases of statelessness, after Asgardia obtains habitable territory of its own;
- b. In cases of special and unusual hardship;
- c. To reward services of an exceptional value to Asgardia, as determined by the Head of Nation or a body designated by the Head of Nation to make such a determination.

■ Registration of Citizenship

Section 15

For individuals obtaining citizenship under sub-sections (2), (3), (4) and (5) of Section 11, the citizenship shall be valid only after the birth, adoption or marriage is registered within one year of its occurrence. A certificate of citizenship shall be provided upon registration.

CHAPTER III TERMINATION, SUSPENSION AND RENEWAL OF CITIZENSHIP

■ Termination of Citizenship

Section 16

Termination of citizenship is permissible by renunciation under Section 17 c by revocation under Section 18.

1. A citizen of full age and capacity may apply for renunciation of their citizenship at will. Minors may renounce their citizenship only through their parent(s) or guardian.
2. Renunciation of citizenship will be final after the appropriate authority issues the certificate of renunciation. Renunciation of citizenship of an official leads to an automatic deprivation of that official's authority, capacity and privileges as an Asgardian official.
3. Following the renunciation of Asgardian citizenship, a renewal of citizenship is only allowed under special circumstances on an individual basis, as determined by the Head of Nation.
4. Issuance of the certificate of renunciation indicates that an individual ceases to be a citizen of Asgardia from the moment of the issuance or any later day that the certificate of renunciation may specify.

1. The appropriate authority may revoke the citizenship of an individual if it is satisfied that it is not conducive to the Supreme Values of Asgardia, public good, the rule of law, democracy and peaceful operations in Earth and in outer space that the individual should continue to be a citizen.
2. In particular, and without prejudice to the generality of the foregoing power under sub-section (1), citizenship may be revoked if an individual:
 - a. Has obtained and retained citizenship by false representation, fraud or any other inappropriate means;
 - b. Acts in violation of the absolute Supreme Value and the Supreme Values of Asgardia;
 - c. Violates and disregards the Constitution and the laws of Asgardia;
 - d. Violates and disregards international law;
 - e. Violates and disregards the rights, freedoms and legal interests of other citizens;
 - f. Violates and disregards their obligations as a citizen;
 - g. Acts in violation of the national interest of Asgardia;
 - h. Acts to jeopardize the safety, security and performance of the mission of Asgardia;
 - i. Fails to pay the annual citizenship fee for more than one year.
3. Upon revocation of citizenship, an individual ceases to be a citizen and all rights and obligations as a citizen ceases.
4. Citizenship may be revoked permanently, for a predefined period of time or temporarily until the specific violation resulting in revocation has been ameliorated.
5. Citizenship cannot be revoked on discriminatory grounds.
6. Decisions on revocation of citizenship may be subject to judicial review by a competent court established under law.

■ Suspension of Citizenship

Section 19

1. Without prejudice to anything stated in Section 18, the appropriate authority may decide to temporarily suspend the citizenship of an individual for the grounds provided in sub-section (1) and (2) of Section 18.
2. Temporary suspension of citizenship shall be followed by a suspension order by the appropriate authority which will state the conditions to be fulfilled in order to end the suspension with reasoning.
3. During the period of suspension of citizenship, all rights and obligations as a citizen, including the right to vote, are suspended.

■ Renewal of Citizenship

Section 20

1. Any individual who has renounced citizenship may apply for renewal of citizenship, pursuant to Section 17(3).
2. In case the citizenship of an individual is suspended under Section 19, at the end of suspension period the citizenship resumes.

CHAPTER IV RIGHTS AND OBLIGATIONS OF CITIZENS

■ Equal Status of All Citizens

Section 21

All citizens, irrespective of the mode of obtaining citizenship, are entitled to all rights, powers and privileges guaranteed and provided in the Constitution and are subject to all obligations, duties and liabilities of a citizen as provided and guaranteed under Articles 8, 9 and 10 of the Constitution.

CHAPTER V MISCELLANEOUS

■ Rules and Regulations

Section 22

1. The appropriate authority, in agreement with the Head of the Government, has the power to make regulations on any matter relating to citizenship under this Act in order to implement this Act and the Constitution.

2. In particular, and without prejudice to the generality of the foregoing power, the appropriate authority shall have the power to make regulations on the following:

- a. Application fees for application of citizenship, residentship;
- b. Personal data to be submitted in order to apply for citizenship, residentship;
- c. The manner in which and the place at which the applications for citizenship are to be made;
- d. Conditions for naturalization which may include requirement of passing of a test of citizenship;
- e. Procedure of renewal of citizenship, residentship;
- f. The forms to be used and the registers to be maintained under this Act;
- g. Waive any requirements and conditions under this Act under compassionate or humanitarian grounds;
- h. Waive any requirements and conditions under this Act in special circumstances;
- i. Amend the amount of the annual citizenship fee;
- j. Generally any other matter necessary to carry out the purposes and provisions of this Act.

Chairman of Parliament, Asgardia
Lembit Opik

