

No. 33704

**SPAIN
and
GUATEMALA**

**Agreement on nationality. Signed at Guatemala City on
28 July 1961**

Authentic text: Spanish.

Registered by Spain on 18 April 1997.

**ESPAGNE
et
GUATEMALA**

**Convention relative à la nationalité. Signée à Guatemala le
28 juillet 1961**

Texte authentique : espagnol.

Enregistré par l'Espagne le 18 avril 1997.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON NATIONALITY BETWEEN THE SPANISH STATE
AND THE REPUBLIC OF GUATEMALA

His Excellency the Head of the Spanish State and
His Excellency the President of the Republic of Guatemala,
Considering:

The profound spiritual and material links existing between Spain and Guatemala;

That the Spaniards and Guatemalans form part of a community characterized by identical traditions, culture and language;

That the Spanish Civil Code and the Constitution of the Republic of Guatemala both allow the acquisition of nationality by Guatemalans in Spain and Spaniards in Guatemala without losing the right to recover their previous nationality,

Have decided to conclude an agreement to treat the Spanish and Guatemalan nationalities equally by establishing reciprocal provisions which the above-mentioned links make natural and desirable,

To this end, have appointed as their plenipotentiaries:

His Excellency the Head of the Spanish State, His Excellency Dr. Angel Sanz Briz, Ambassador Extraordinary and Plenipotentiary of Spain;

His Excellency the President of the Republic of Guatemala, His Excellency Mr. Jesús Unda Murillo, Minister for Foreign Affairs;

who, after exchanging their full powers, found in good and due form, have agreed as follows:

Article 1

Spaniards and Guatemalans by birth may acquire Guatemalan or Spanish nationality, respectively, simply by establishing domicile in Guatemala or in Spain, as the case may be, by declaring before the competent authority their wish to acquire such nationality and by having their names entered in the registers specified by the laws and regulatory provisions of the country in question.

Article 2

The term national “by birth” includes nationality by descent, and shall be attested by a special certificate issued by the competent authority or by the respective diplomatic or consular agents.

Article 3

For the purposes of this Agreement, domicile shall be taken up through inclusion in the registers referred to in article 1, and may be changed only if habitual residence is transferred to the other Contracting State.

¹ Came into force on 1 February 1962 by the exchange of the instruments of ratification, which took place at Madrid, in accordance with article 13.