

## Study the basics, concepts, and codes of citizenship of foreign nationals

### Abstract

Citizenship is a legal relationship; because it has legal effects on the international and internal systems. The country's nationals enjoy their government political patronage in the international system. The goal is to study the basics, concepts, and codes of citizenship of foreign nationals. The methodology is analytical-descriptive and uses library resources. It investigated the concept of citizenship, defining nationals, citizenship elements, defining residence, attending foreign in Iran, and their legal situation. The investigations showed that the local law allows the government almost in all countries to deport foreign nationals whose residence seems undesirable whenever it wants. Of course, any government should not suddenly deport all foreign nationals residing in its country. Deporting all foreign nationals from its country is considered a wavering government and acts opposite of the international expediency. The government should not only decide to deport all foreign nationals but deporting suddenly all foreign nationals is against international legal basics; this action can do so during the war and break up political relationships.

**Keywords:** *citizenship, foreign nationals, civil law, the foreign legal situation*

### Siamak Sohrabi

MA, Department of Private Law,  
Faculty of Humanities Law Group,  
Takestan Branch, Islamic Azad  
University, Takestan, Iran  
siamaksohrabi0917@gmail.com

### Introduction

Citizenship is a legal relationship; because it has legal effects on the international and internal systems. The country's nationals enjoy their government political patronage in the international system. On the other side, the rules accepted between the government under citizenship and other governments (such as treaty) rather than every government nationals are applicable. Likewise, citizenship is a non-locational or spiritual relationship; because all government nationals are connected to a government in the case of the goals, common customs, and traditions, and such a relationship is not dependent on the location.

A person's national citizenship position is considered a member of a definite government who is loyal to it. On this basis, everyone except a person without citizenship has a political dependence on the definite government, which may be a call to war or should pay tax and may be waiting for patronage from the government. Also, citizenship has abundant importance in public rights among the political rights.

In one of its votes, the international court of justice considers national citizenship as a legal bond between the person as a foreign national and the government as a government under citizenship, which is based on social belonging and real relationship along with reciprocal assignments and rights. It is worth noting that political patronage is among the most important effects of national citizenship.

The concept of national citizenship is divided into birth or national citizenship and non-birth or acquisitive citizenship. Birth or national citizenship has been expressed in the heart of land and blood systems. The land system is the system in which the citizenship right originated from the landing bond of the person with the definite country. In other words, everyone is

born in special governmental land, which benefits the citizenship of that government. Sometimes the person's intention does not affect changing citizenship in non-birth or acquisitive citizenship; it is similar to changing citizenship because of separating a land part and changing citizenship because of marriage, and sometimes it results in personal intention. It is if the person wants to earn new citizenship.

The concepts of national and contractual citizenship are based on ideological and belief basics; whereas the concept of citizenship in the international legal system is only based on these bases. National citizenship is material and physical. This concept is the only concept pointed out from citizenship, namely common ground between these two legal systems in the West rights system. Generally, the community is disconnected by the lack of acceptance of national citizenship, recognizing the nationals of every government from other governments, and diagnosing the nationals of every government from other governments. On this base, the goal is to study the basics, concepts, and codes of citizenship of foreign nationals.

### Research theoretical basics

#### Citizenship concept

Citizenship is a spiritual and political relationship that connects the person to the definite government (Nasiri, 2004, p. 22-27). Citizenship is of two types, namely basic citizenship and acquisitive citizenship. Basic or origin citizenship is that it is legally imposed by birth. This imposition is possible in two ways: one is through the blood, and the other is through the land, named land and blood systems (Al kaj baf, 2010, p. 62). The blood system, also named relative citizenship, is where citizenship is imposed by parentage to a baby. It means that baby is attributed to the citizenship of its parents as soon as birth. A land system is in which the birth location defines

citizenship; namely, everyone has their “country and birth location” citizenship. Everyone is inevitably born in a location, and its location is considered governmental territory.

Acquisitive citizenship, which is named derivative and subdominant citizenship, is what the person earns after its birth and during its life as it may be created by marriage, residence, etc. Of course, there is a different conceptually between derivative citizenship and subordinate citizenship, and acquisitive citizenship. Therefore, derivative citizenship can be imposed by the person's legal action or its judicial agent after birth to a lifetime, such as a residence in a foreign country for a defined time. Acquisitive citizenship can be earned through marriage and or accepting other citizenship (Nasiri, 2002, p. 71). Subordinate citizenship is imposed on the wife and her small child by marriage, and in the first case, the couple's citizenship is imposed on the wife. In the second case, the father's citizenship is imposed on the child (Jafari Langeroodi, 2006, p. 135).

Intrinsic citizenship is that the person can earn as soon as birth automatically. Intrinsic or basic citizenship is granted to citizens in two ways in other countries, one is the blood citizenship, and the other is the land citizenship.

#### **Acquisitive citizenship**

**Acquisitive citizenship** is when the person doesn't earn it during birth and later it is granted because of creating the conditions divided into several types.

**Educational citizenship** is when the application and intention of the applicant are issued. Often the foreigners who live in western countries have this type of citizenship. Different countries have different pre-conditions to issue this type of citizenship, which are among their most important are the unlimited and permanent residence permit and the residence time in the host country (Bala-Zade, 2004, p. 23).

**Subordinate citizenship** is granted not to the person's intention but to another person's intention, such as the stepchild who earns the father- and mother-in-law citizenship by its new parents' application.

**Realizing citizenship** is the marriage of the person grants that.

**Mandatory citizenship** is what the person forcibly earns by occupying and conquering its country by other countries and dividing the country into smaller countries. The collapse of the Soviet Union and other Eastern Bloc countries, such as Former Czechoslovakia and Yugoslavia, have this type of citizenship (Danesh Pajooh, 2002, p. 14).

#### **Honorary citizenship**

Honorary citizenship is granted to some very important persons because of thanks for the exhibited services and or activities. For example, the United States of America granted American citizenship to Mother Teresa in 1996, and Canada granted Canadian citizenship to Nelson Mandela in 2001. South Korea granted Korean citizenship to the Dutch Coach of

the national football team in 2002. Iceland granted the Icelandic citizenship to Bobby Fisher-American famous chess player- in 2005 while he was a prisoner in Japan.

#### **Commercial citizenship**

Commercial citizenship is what some governments grant to that country because of attracting the investment for its country's economic development against the considerable payment. It can be named the country of Dominica, with a population of 72.000 people (it should not get wrong with the Dominican Republic).

#### **Religious citizenship**

Religious citizenship is when the person earns the citizenship of that country because of belonging to the special religion immediately after entering that country, such as granting Israeli citizenship after entering each Jewish immigrant to Israel land (Almasi, 2014, p. 102).

#### **Defining the nationals**

It is said the national to the person who has the citizenship of a definite country (Jafari Langroodi, 1999, p. 38). This term is used against foreigners and “aliens.” The nationals are the persons that can enjoy all rights in a country, and enjoying all rights equally is a principle (Jafari Langroodi, 1999, p. 37).

The recognition criterion of the foreign nationals and native nationals in each country's rights in that country rules. These rules are usually different in different countries. Each country regulates the separate rules to define its nationals; therefore, if a person is in the realm of that law, he is considered the national of that country. For example, Iran Courts act to define whether the person is considered an Iranian citizen or not it is a foreign according to Iran Laws. This is the Iranian government that defines who its national and or what are the necessary conditions to have Iranian citizenship (Mohammad Zade and Akhlaghi, 2005, p. 13).

In terms of private international rights, the nationals are amenable to laws of the government under their citizenship regarding the problems such as marriage, heritage, divorce, and generally personal situations by resorting to the regulations of private international rights. Their identification documents are valid, and the Council officers of a country in another country are responsible to regulate the documents for their nationals. In contrast, Article 7 of civil law has accepted this right for foreign nationals residing in Iranian Land.

#### **Citizenship elements**

##### **1-Existence of the granter government of citizenship**

The government can be granted if it can be honest rather than what is defined from it in international rights. Namely, it should be had three pillars population, political power (governance), and land, and it should be recognized as the government in international society. The citizenship rules should bind the governments in the law, codes, directives, and regulations frameworks. They should make decisions

regarding the conditions of acceptance and deprivation of citizenship (Masumi Akhaey, 2003, p. 23).

## **2-Existence of a legal or natural person**

Everybody has the citizenship of a definite country and is considered the national. At the same time, everybody enjoys civil rights, whether in inter rights or international rights; everybody who includes this qualification in each age and position has citizenship. Citizenship has to be enacted for natural people because they only establish the government, and there is no citizenship for legal persons and things. Therefore, everybody usually has citizenship unless it can be exclusively found as the apatriide.

## **3- Citizenship relationship**

It should be a relationship between the government and the person it attributes them with together, which is named effective citizenship.

## **4-Basics governed on the citizenship**

- a-Every person should be had necessarily the citizenship.
- b-Any person should not be had necessarily more citizenship.
- c-The citizenship is not an indestructible and permanent topic (Nasehi, 2004, p. 112).

## **5-Citizenship benefits**

- a-It can be an agent for national identity.
- b-It is caused to the enjoyment of citizenship rights.
- c- It is caused to enjoy political rights, employment rights, and political positions.
- d-It is caused to support the governments from the benefits of nationals legally and politically.
- e-It is based on the obligations and duties of persons against the government under person citizenship about military service, tax, and defense.

## **Residence definition**

Some lawyers consider the residence as “the legal and material relationship which connects the person to the section of the land of the government without considering the citizenship.” Some others believe that the residence is “the legal relationship which has some political specifications between the persons and the certain sphere of the governmental domain, and the persons can be recognized from the groups of the residents without having the citizenship qualifications.” Some others say that the residence is considered as “the personal relationship with its own around the environment or the location in where lives or works.” As it can be seen from the above definitions, the residence in the science of jurisprudence is considered the legal position of the person in a country in the inter rights and private international rights (Kazemi, 2015, p. 55).

## **Separating between Residence and Citizenship**

Citizenship is the first agent to divide the persons on the Earth geographically. But the geographical division is not restricted to the same agent; because there are the many persons who while they belong to a country in terms of citizenship, spend

all or the part of their lifetime in the land or other lands for some reason. In this way, another agent of the geographical division of the persons is their residence. Therefore, there is nothing in common between these two, and it is that both concepts typically show the relationship between the person with the definite country. In the citizenship, this relationship is a type of political bond, and in residence, this relationship is a type of civil bond. These two types of relationships between the government and the definite country have caused identify these two concepts as two agents of the geographical division of the persons between the governments in the international society in the effect of the citizenship and the residence. These two types of political and civil relationships have caused the integration of the roles of the citizenship and the residence in the society; for example, one of these two agents has been known as the agent determinant of the law-governed on the personal specification in some countries. According to Article 7 of the civil law of Iran (1991), “the foreign nationals residing Iran Land will obey the rules governed the government under their citizenship in terms of the personal specifications and their competence and terms of the heritage rights in trades.” Therefore, in the countries in which the citizenship agent is a determinant, if the person is apatriide or its citizenship agent can't play its role for a reason such as immigration, the residence agent can play that role. For this same reason, some private international lawyers have considered the residence in exchange for citizenship (Sheikh Al-Eslami, 2005, p. 51).

## **Criteria of Separating between Residence and Citizenship**

- 1-There are the spiritual, legal, and political relationships between the person and the definite government, while the residence points to the civil and material relationships.
- 2- There is a relationship between the person and the definite government in citizenship. At the same time, there is a relationship between the person and the certain point of the governmental domain in residence.
- 3-The personal intention does not affect citizenship. The person's role is restricted to the limit that the law allows. Still, in residence, the establishment and its change depend on personal intention, as nowadays, many persons have residence and refuge except the country under the citizenship. Still, there is no legal reason to deport them forcibly from their residence located in the case of the international rights basic (Saljugh, 2007, p. 92).

## **Outlander**

In private international rights, an “outlander” has not had the citizenship of the host country and has the citizenship of the foreign country. There is a similar right to natives for the outlanders in their resided countries. Still, it is reminded that it is behaved with the outlanders differently based on the agents such as national benefits, economic, social, and political

situations, local tradition, and collection of the rules available in the world countries.

The outlander is the person who has not to be identified as a citizen or the national of the country that lives. During this time, the outlander is who has accepted the citizenship obligation of the special country (Ebrahimi, 1998, p. 18). Including that they have the citizenship except for the stayed country or they are apatride.

The outlander in Iran has no Iranian citizenship. While the word outlander is against the word native, it is necessary to define the word countryman. Therefore the countryman is said to all persons who have Iranian citizenship, including that they believe in Islam or other religions such as Christianity and Judaism. In other words, the Iranian citizenship criterion is not the belief in Islam but having Iranian citizenship. As in this time, it is the same in all countries. Thus, the outlander in legal rules is not considered non-Iranian, but it is said to be heathen. Therefore Muslims of other countries are not considered the outlander because, in the border ideology, the border is doctrinal and not geographical. Still, according to civil law, a person who has citizenship except in Iran, namely non-Iranian, is considered an outlander. There are two thoughts to accepting the outlanders: some belief in the freedom of outlanders among Vetuira, Spain rights scientists, and say that the outlanders should be accepted without any qualification. Others believed in limiting in acceptance of the outlanders. This belief was accepted by the International rights Institute established in 1928 in Geneva. It says that the governments should not abuse this authority. They can limit the entering freely and residence of the outlanders, which the danger to the country's policy can be predictable. There is a special rule for the outlanders in the law of all countries (Nasehi, 2004, p. 81).

#### **Attending outlanders at Iran**

To study the outlander situations regularly and generally. It is necessary to differentiate the past times to now historically during three courses: firstly, the outlander situations in Iran's former rights, namely the era before Islam; secondly, the era after Islam until capitalism and finally, the contemporary era, namely from to being tradition Iranian law until now.

#### **a-Era before Islam**

In the era before Islam in Iran, Iran's Rights have been religious,; Iranian Kings have behaved goodly with the outlanders and followers of other religions. Religious bigotry did not exist in the Achaemenian era. Their kings have respected the sanctities of nations and their customs. Rene Grousset, a famous French historian, who has many compilations about East history and civilization, says about the outlanders' situations in Old Iran that "Iranian nations should be considered as the noblest nations, while surprisingly Iranians have had their definite religion, but they have not behaved badly with the races and other religions, and have

respected to other religions and even have allowed that the followers of other religions can do their religious ceremonies." In the Sassanids era which official Iranian religion was Zoroaster, and their Kings were the promoters of that religion. Its regulations have behaved friendly and kindly to the followers of other religions (Nasiri, 2010, p. 96-97).

#### **b-Islamic Law era**

It radically changed Iranian Rights by breaking Sassanids and establishing Islamic governance. It was replaced with Islamic Rights, and it didn't leave any trace of its past rights except what it was kept by the loyal Iranians to Zoroaster, to the extent that the Islamic government allowed. In addition to Zoroastrians, the followers of other religions couldn't be considered the members of Islamic nation or society; for this reason, all these groups in new governance were considered heathens and in Islamic society were considered the outlander and enjoying from the rights depended on this which firstly they can be considered as the followers of a known religion and secondly they can contract the bond named the obligation bond and the persons who rejected it couldn't be claimed of rights in terms of the lives and the property. Islamic Iran kept the Islamism pivot after separating Islamic Caliphate Center. It was a mixed Islamic civilization with Iranian civilization. Many lead scientists were educated in Iranian Land, and the government was given to the kings again, but it never gave up its Islamic title.

Behaving to the outlanders was more regulated unilaterally and based on inter-laws of Iran until before the Safavieh era. After this time, they could allocate abundant rights and benefits and were usually oppressive in the form of the special commands from kings or imposing the bilateral transactions to Iran by abusing Islamic mercy and tolerance principles except for Muslims or abusing the weakness of contemporary governments when West and colonial governments were entered to Iran (Nasiri, 2010, p. 99).

Capitalism contracts have created an unusual situation opposite to our national independence in this country. The outlanders have earned the rights and points in addition to the lack of deprivation about being outlander, which was the opposite of international basics and was a violator the political and legal independence. Finally, the contract between Iran and the Soviets was held, which was caused to destroy the Capitalism regime and all established points for the foreign nationals in Iran on 14 December 1921.

But its cancellation was officially announced in Islamic Council Parliament on 10 May 1928. Iran officially recovered its legal independence from this time. According to international rights, the properties and regulations for the outlanders' situation were considered. It was considered entering and residing freely and with minimum rights

concerning international rights based on Iran Law and for the outlanders.

### **c-Contemporary era**

Nowadays, there are many outlanders in Iran too. Most of them are Afghans and Iraqis who have left their countries and come to Iran. They are more of Iraqi or Iranian origins and or Kurd North minorities who have been deported by Saddam Hosein from Iraq and have become refugees in Iran.

#### **legal situation of outlanders in Iran**

The cases in which the outlanders have been deprived legally include the rights that are considered exclusive for Iranian nationals by law or kept clear from the foreign nationals. To distinguish the topic of these rights, it should be referred to the related rules. For example, according to Principle 81 Law: “to give the points to establish the companies and institutes in the commercial, industrial, agricultural, mineral affairs, and the services for the foreigners are forbidden.” Also, in the case of those rights considered exclusive for Iranian nationals by law? For this same reason, the outlanders are deprived of it; they are right to work in some jobs. For example, Article 12 Exchange Establish Law considers one of the acceptance conditions of natural persons to Exchange to have Iranian citizenship. Another case is that the outlanders, in addition to farm real estate, are deprived of acquisition of immovable properties in addition to what they need for their residence or industries or jobs; therefore, according to foreign nationals acquisition regulations, the outlander who wants to buy a property in Iran should get permission firstly from Iran government. To earn this permission, it should submit to Real Estate Registry Office located in that region its application during a declaration and the needed documents (Madani, 1996, p. 87).

The outlanders are exempt in terms of the Military System, but there is no difference between them and the natives in tax. According to Paragraph 2 of Article 1 of the Direct Taxes Code, every non-Iranian, including the natural or legal person, is responsible for paying taxes rather to all incomes earned in Iran (Salgughi, 2016, p. 98).

#### **Philosophy of prohibition the marriage with outlanders**

There has been the prohibition of marriage for some religions and or relatives of nations from old years. One is because of the belief in immunization, and the other is because of keeping the nationality and ethnic and racial originality.

The nations which have no the sense of nationality and consider only true ceremony as their special ceremony, their goal of avoiding the outlanders is only to keep the belief immunity; thus, when the social situation is caused danger, this immunity is more emphasized on the lack of marriage with the followers of other religions, and for this same reason, it is permitted to a marriage of their own men followers with the outlanders only in the special cases, for example, in the conditions in which they could convert their wife and even

more persons from other nations by this marriage. Still, it is never permitted to marry the men outlanders of their own women followers because the women enjoy a weaker situation than the men. If they get married to the outlander, it is more likely to be influenced by the husband (Davoodi, 2016, p. 33). Some nations tried to do this same that their nation childes grow in their region. Consequently, their honors will not be harmed by the effect of mixing. Will it be or for this reason that the definite peoples should stay them away or avoid the undesirable customs and keep their dignity and family tree. Once some nations were free but changed their way later. At first, Romances were getting married to the women, but when they got powerful, they named other people Berber and their wives didn't permit to marry the outlanders and vice era (Ebrahimi, 1959, p. 27).

From the very beginning, Islam was opposite with bigotry and nationalism and each type of racism and has tried to root out the nationalism between Islamic nations. Also, the Prophet of Muslims from each nation practically has struggled with another based on the contract and the racial honors. There isn't doubt that when it is mentioned the marriage prohibition with the outlanders in the limited cases, it is not based on the nationality sense and ethnic superiority. Still, this prohibition is based on the belief immunity of Muslims and keeping them away from ethical pollution and holding familiar originality (Ebrahimi, 1959, p. 39).

Philosophy of prohibition the marriage in Quran and Narratives has been mentioned as the fear of the effectiveness of Muslim men and women from non-Muslims and entering their ethic and belief weakness on Muslims. Still, while this effectiveness on the men is weaker (Especially in Islamic Law Era), when non-Muslims are weak and have signed the obligation contract with Muslims, it is allowed to marry men in terms of the conditions. Still, while women are proportionally more effective than men, they have been prohibited from this marriage (Ebrahimi, 1959, p. 117).

#### **The types of outlander in Iran**

Generally, it can be divided into different types regarding the method of entering and the type of the enjoyed rights, such as the common outlander, traveler, student, businessman, officer, and ...who entered the country under different titles.

##### **1-Immigrants**

###### **1-1-owners of blue card (Afghans)**

Many Afghans went to Iran after the Marxist coup d'etat in Afghanistan's occupation of that country by the Former Soviets. In 1982, the Ministry of Interior would issue a white Identification Card for them through Governorship across the country. There were illegal ways to enter these immigrants, creating problems. In 1984 Afghans were again identified, and the special white Identification Cards were considered for

them. While Afghanistan's situation was critical and uncertain, it was not stopped their swarm, and every year their numbers were added; for this same reason, the authorities decided to identify Afghans for the third time, which is considered blue Cards for them. It is necessary to note that these cards have been considered for identification as it has been cited on them, but often they are practically used as legal residence cards; Iranian Authorities look to them with forgiveness by considering the bad situations of Afghans (Aryan, 1997, p. 30).

### **1-2 -owners of green cards (Iraqis)**

We can significantly see the attendance of Iraqis in Iran after 1975. The abundant attendance of these persons started after the Islamic Revolution and imposed war, as these two groups form many foreign nationals residing in our countries now. These persons have Iranian origins, have been deported from Iraq, and resided in camps available in the West. Some groups have exited Iraq for several reasons and have entered Iran, and some groups who have Blue Card, are Israel, who have regrets. Some have even flown against Iraq and Iranian forces in the imposed war. Authorities of the Ministry of Interior have considered Blue Card for Iraqis. This sentence has been written at the bottom of the Iraqis Card: "this card is not valid for real estate acquisition." The opposite concept of this sentence is valid in other legal cases. Still, it is not practical, and this card is not valid because it, like the Afghans Blue Card, has been considered to identify (Aryan, 1977, p. 30).

### **1-3-owners of asylum notebook**

The First Article of Refugee Regulation approved in 1963 holds that: "The refugee is who became a refugee to the racial, religious and political reasons or becoming member in the special social groups from the fear of their family and own spirit and torture." Granting asylum depends on the application, and the applicant should present the justifiable reasons needed for granting asylum. Asylum has been known as one of the Human Rights in 1948 Universal Declaration (Al kaj Baf, 2011, p. 206). Application of asylum is possible as followings: 1) Crossing the border region to Iranian Land in which the person should know itself to first border outpost or the qualified official authorities. 2) Presenting the application through one of the foreigners who resided out of Iran based on asylum to Iran. 3) Presenting the application to foreigners residing in Iran based on accepting asylum. It is established to investigate the refugee affairs, a committee in the Ministry of Interior with the name "Refugee Permanent Committee" supervising the president of the Ministry of Interior and Foreign Ministry and Social Welfare and Work Ministry and Information Ministry and Police Forces, and Army Headquarter and Political Manager and Political Office Boss in Ministry of Interior.

Refugee Permanent Committee is qualified to accept and reject asylum and other affairs related to the refugees, and when the asylum application is accepted, there is sure:

1-The applicant should not have a bad intention to accept asylum 2- The goal of asylum should not be employed, because accepting asylum is a governance right, and the person who has been rejected its application has not the right to complain Courts. While the refugees are entered Iran in two ways, which one way is the entering the legal ways and later presenting an asylum application, and another way is the entering through the illegal ways; due to research about being qualification, the persons who demand asylum needs to the sufficient time, so they can't be allowed to reside in Iran. Therefore, these persons will be sent to the "Quarantine Camp" (Ebadi, 2006, p. 19).

### **Personal Status Definition**

The situation and the competence form personal Status, and these two are the personality coordinates legally. The situation is the collection of personal legal traits. It includes the affairs that form the components of the situation, and the most important is marriage, divorce, origin, age, legal guardianship, mandatory, etc.

But, competence is the person's qualification because it applies its rights. In other words, the personal status generally shows the person's situation individually or in family and society. In an individual, it is the name and family and what is considered the identity. Generally, it identifies personal status, and it can be named the person coordinates. In the family, it is marriage, divorce, and the relationship between another and the child. In society, it is citizenship and residence. There is generally a close relationship between the situation and the competence in the subject rights, and therefore they are under a type of rules in private international rights. Some governments consider the personal status of the outlander nations, including the residence law. The personal status of the outlanders is in the range of the contracts in Iran, and it is under of law of their government resided. This rule is that personal laws have been issued to support the persons and should be had stability and establishment.

It means that the placement of the persons should not change these rights and should not create the oscillation in family pillars and stability and establishment in this way which is the basic goal of personal laws (Nasiri, 2010, p. 198). The civil law of Iran in Article 7 holds this rule as follows: "the resided foreigner nations at Iran are subject to law and regulations under the resided government in terms of the problems about the personal status and terms of the heritage rights." Article 6 of civil law holds that "The laws about the personal status or marriage and divorce and competence and heritage are the executors in all Iranian nations even if they reside outside Iran." The national law principle, rather the personal status, has

been emphasized by the international rights institute in the hold missions in the second half of the nineteenth century and was accepted in the multilateral political contracts by Hague in 1902 and 1905.

#### **The wife of national**

According to Article 984 of civil law, when the person has accepted Iranian citizenship, their wife is considered an Iranian citizen. Still, the woman has the right to give the written deceleration to the Foreign Ministry and accept her husband's citizenship in the former country within one year after issuing the document of husband's citizenship. The law-maker has accepted the Citizenship Unity Principle in the Iranian family in terms of the family importance to form and survive the family and the effect of family members' correlation in society unity (Saljoughi, 2006, p. 90).

#### **The children of national**

A small child of the person who has been accepted as Iranian citizenship is considered an Iranian, but they have the right to give the written deceleration to the Foreign Ministry and accept their father's citizenship of the former country within one year after reaching the age of 18. But, the government's emphasis on father citizenship, based on them that they will be their citizens should be attached to this deceleration. Citizenship Unity Principle rather to the small child of the person has been considered too. This achievement is not effective for the child who has reached the age of 18 on the date of the application.

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#### **Conclusion**

The history of the outlander situation in Iran comes back before Islam. Capitalism regime Era created a situation opposite to our national honor and independence, and the limitations did not prohibit the outlanders and as well as they earned the rights which were violator of international principles and our legal and political independence. In Islam, a person who is not Muslim is considered an outlander or foreigner, and conversely, it considers Muslims with each language and race and nationality and citizenship as unique. With this thought, the persons who believe Quran are Muslim, and the persons who don't believe Quran are outlanders, and it has been predicted the rights and liberties. Also, the outlanders' duties and assignments have been named "safe conduct." Almost 2008000 persons from different countries live in Iran according to Statistics. These numbers organize almost % of the three populations of the World. This digit shows that Iran is one of the important immigrant countries in the Middle East. The borders' security is directly related to controlling the arrivals and departures of the outlanders and managing them correctly during their attendance in the country. The situation of the arrivals and departures of the outlanders makes their attendance in Iran legal. The supervising actions on executing

these regulations can ensure the allowed arrival of the outlanders and the security of the borders. Nonconformity of these laws to entering Iran are caused to foreclose Islamic Republic Governance, and the outlander is committed to entering illegally, and that person should be legally punished. The arrival and residence of foreign nationals in Iran are subject to the conditions in the rule of the arrival and residence of foreign nationals approved in 1931, and its amendments have been defined. The problems such as arrival, crossing, stopping, residence, and departure of the outlander in every country depend on the political system and security of that country. There is no stable right for the outlanders. Therefore, the law defines its criteria and ranges by considering political, economic, ethnic, cultural, and security problems. The permission to arrive in Iran is done by issuing a visa or the outlanders. This visa is issued differently, and each plays a special role. The outlander who wants to pass through Iran should receive a "passport" from Iranian officers in the out or the border officers. The visa time is 15 days which can be extended if necessary.

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