

N° 3732.

**ALBANIE ET
ÉTATS-UNIS D'AMÉRIQUE**

Traité de naturalisation. Signé à
Tirana, le 5 avril 1932.

**ALBANIA AND
UNITED STATES OF AMERICA**

Treaty of Naturalization. Signed at
Tirana, April 5th, 1932.

No. 3732. — TREATY¹ OF NATURALIZATION BETWEEN ALBANIA AND THE UNITED STATES OF AMERICA. SIGNED AT TIRANA, APRIL 5TH, 1932.

Albanian and English official texts communicated by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at Berne. The registration of this Treaty took place September 25th, 1935.

THE GOVERNMENT OF THE UNITED STATES OF AMERICA and THE GOVERNMENT OF THE KINGDOM OF ALBANIA, being desirous of reaching an agreement concerning the status of naturalized citizens or subjects of either country who were formerly nationals of the other, and the liability for military service and other acts of allegiance of such persons and of persons born in the territory of either State of parents having the nationality of the other, have resolved to conclude a Treaty on these subjects, and for that purpose have appointed their Plenipotentiaries, that is to say :

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Herman BERNSTEIN, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Albania; and

HIS MAJESTY THE KING OF THE ALBANIANS :

His Excellency Pandeli J. EVANGHELI, Prime Minister and Minister for Foreign Affairs *ad interim* ;

Who, having communicated to each other their full powers, found to be in good and due form, have agreed upon the following Articles :

Article I.

Nationals of the United States who have been or shall be naturalized in Albanian territory shall be held by the United States to have lost their former nationality and to be nationals of Albania.

Reciprocally, nationals of Albania who have been or shall be naturalized in territory of the United States shall be held by Albania to have lost their original nationality and to be nationals of the United States.

The word " national ", as used in this Convention, means a person owing permanent allegiance to, or having the nationality of, the United States or Albania, respectively, under the laws thereof.

The word " naturalized ", as used in this Convention, refers only to the naturalization of persons of full age, upon their own applications, and to the naturalization of minors through the naturalization of their parents. It does not apply to the acquisition of nationality by a woman through marriage. Minor children of persons naturalized in either country shall not acquire the nationality of that country until they shall have established their habitual residence there.

¹ The exchange of ratifications took place at Tirana, July 22nd, 1935.

Article II.

Nationals of either country, who have or shall become naturalized in the territory of the other, as contemplated in Article I, shall not, upon returning to the country of former nationality, be punished for the original act of emigration, or for failure to respond to calls for military service accruing after *bona fide* residence was acquired in the territory of the country whose nationality was obtained by naturalization.

Article III.

If a national of either country, who comes within the purview of Article I, shall renew his residence in his country of origin without the intent to return to that in which he was naturalized, he shall be held to have renounced his naturalization.

The intent not to return may be held to exist when a person naturalized in one country shall have resided more than two years in the other ; but this presumption may be overcome by evidence to the contrary.

Article IV.

A person born in the territory of one Party of parents who are nationals of the other Party, and having the nationality of both Parties under their laws, shall not, if he has his habitual residence, that is, the place of his general abode, in the territory of the State of his birth, be held liable for military service or any other act of allegiance during a temporary stay in the territory of the other Party.

Article V.

The present Treaty shall go into effect immediately upon the exchange of ratifications, and shall continue in force for ten years. If neither Party shall have given to the other six months' previous notice of its intention then to terminate the Treaty, it shall further remain in force until the end of twelve months after either of the Contracting Parties shall have given notice to the other of such intention.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate at Tirana, this fifth day of April, 1932.

(Seal) Herman BERNSTEIN.

(Seal) Pandeli J. EVANGHELI.

Certified to be a true and complete textual copy of the original Treaty in all the languages in which it was signed.

For the Secretary of State of the
United States of America :

C. E. MacEachran,
*Chief Clerk and
Administrative Assistant.*

Artikull II.

Shtetasit e njërit osë tjetrit Shtet, të cilët janë naturalizuar osë do të naturalizohen në tokë të tjetrit, sikundër u-projektua n'Artikullin I, kur të kthehen në Shtetin e kombësisjës së mëparëshme, nuk do ndëshkohen sa për veprën origjinale t'emigrimit, osë për shkak që munguan t'i përgjigjen thirrjes për shërbim ushtërák të bërë pasi këtë të kenë fituar qëndresën regullisht në tokën e Shtetit, shtetësia e të cilit ka qënë fituar me anën e naturalizimit.

Artikull III.

Në qoftë se një shtetas i njërit osë tjetrit Shtet, i cili përfshihet brenda kufinjve të Artikullit I, do të përsëritë banimin në Shtetin e origjinës së tij, pa patur qëllim të kthehet në Shtetin në të cilin ka qënë naturalizuar, aý do të quhet se ka hequr dorë nga naturalizimi i tij.

Qëllimi i mos-kthimit munt të quhet që ekzistón kur një persón' e naturalizuar në njërin Shtet, do të ketë banuar më tepër se dy vjet në Shtetin tjetër ; por ky presúmim munt të mposhtet kur ka prova për të kundërtën.

Artikull IV.

Një persón' e lindur në tokë të njëres Anë prej prindërsh që janë shtetas t'Anës tjetër, dhe që, si pas ligjëve të tyre, ka shtetësin' e të dy Anëve, në qoftë se e ka banimin e saj të rëgullshmë, domethënë, vëndin ku përgjithësisht e ka qendrën e ndenjjes së saj, në tokën e Shtetit ku ka lindur, nuk do quhet që është i detyruar të bëjë shërbim ushtërák, osë çfarëdo tjetër vepër besnikërije, në një kohë banese të përkohëshme, në tokën e Anës tjetër.

Artikull V.

Ky Traktát do të hyjë në fuqi me njëherë pasi të bëhet këmbimi i ratifikimeve, dhe do të vazhdojë të ketë fuqi për dhjetë vjet. Në qoftë se as njëra as tjetra Anë nuk do t'i ketë njoftuar Anës tjetër me gjashtë muaj paralajmím qëllimin e saj athere për t'a pushuar Traktatin, ky do të mbetet në fuqi deri në funt të dymbëdhjetë muajve, pasi njëra osë tjetra Anë kontraktónjëse t'a ketë lajmëruar Anën tjetër për një qëllim të këtillë.

Për të dëshmuar këtë, fuqiptotët përkatës e nënshkruan këtë Traktát dhe e vulosnë me vula t e tyre.

Bërë në dy kopje, në Tiranë, sot më pesë të muajit Prillë, 1932.

(Seal) Herman BERNSTEIN.

(Seal) Pandeli J. EVANGHELI.

Certified to be a true and complete textual copy of the original Treaty in all the languages in which it was signed.

For the Secretary of State
of the United States of America :

C. E. MacEachran,
Chief Clerk and Administrative Assistant.

¹ TRADUCTION. — TRANSLATION.N^o 3732. — TRAITÉ DE NATURALISATION ENTRE L'ALBANIE ET LES ÉTATS-UNIS D'AMÉRIQUE. SIGNÉ A TIRANA, LE 5 AVRIL 1932.

LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE et LE GOUVERNEMENT DU ROYAUME D'ALBANIE, désireux d'arriver à un accord sur le statut des citoyens ou sujets naturalisés de l'un des deux pays, précédemment ressortissants de l'autre, ainsi que sur les obligations militaires et autres devoirs civiques de ces personnes et des personnes nées dans le territoire de l'un des deux États de parents ayant la nationalité de l'autre État, ont décidé de conclure un traité réglant ces questions et ont désigné à cet effet leurs plénipotentiaires, à savoir :

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

M. Herman BERNSTEIN, envoyé extraordinaire et ministre plénipotentiaire des États-Unis d'Amérique en Albanie ; et

SA MAJESTÉ LE ROI DES ALBANAIS :

Son Excellence Pandeli J. EVANGHELI, premier ministre et ministre des Affaires étrangères *ad interim* ;

Lesquels, après s'être communiqué leurs pleins pouvoirs reconnus en bonne et due forme, sont convenus des articles suivants :

Article premier.

Les ressortissants des États-Unis qui ont été ou qui seront naturalisés en territoire albanais seront considérés par les États-Unis comme ayant perdu leur nationalité antérieure et comme étant des ressortissants albanais.

Réciproquement, les ressortissants albanais qui ont été ou seront naturalisés en territoire des États-Unis seront considérés par l'Albanie comme ayant perdu leur nationalité d'origine et comme étant des ressortissants des États-Unis.

Le mot « ressortissant », au sens du présent traité, s'entend de toute personne liée par un devoir de fidélité permanent envers les États-Unis ou l'Albanie ou ayant la nationalité de l'un des deux États, conformément aux lois respectives des deux pays.

Le mot « naturalisé », au sens du présent traité, s'applique uniquement à la naturalisation de personnes majeures, sur leur demande, et à la naturalisation de mineurs du fait de la naturalisation de leurs parents. Il ne s'applique pas à l'acquisition, dans le cas d'une femme, de la nationalité par mariage. Les enfants mineurs de personnes naturalisées dans l'un des deux pays n'acquerront la nationalité de ce pays que lorsqu'ils y auront établi leur domicile habituel.

Article II.

Les ressortissants de l'un des deux pays qui ont été ou seront naturalisés dans le territoire de l'autre pays, ainsi qu'il est prévu à l'article premier, ne pourront, à leur retour dans le pays de leur nationalité antérieure, faire l'objet de sanctions pour avoir émigré une première fois ou

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.