

The following information is taken from the results of the THESIM project that was funded under the EU's 6th Framework Programme for Research

THESIM
Towards Harmonised European
Statistics on International Migration

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Towards Harmonised European Statistics on International Migration

edited by
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UCL PRESSES
UNIVERSITAIRES
■ DE LOUVAIN

© Presses universitaires de Louvain, 2006

Dépôt légal : D/2005/9964/14

ISBN : 2-930344-95-4

Imprimé en Belgique

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Couverture : Isabelle Sion

Diffusion : www.i6doc.com, l'édition universitaire en ligne

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Grand-Rue, 2/14
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Country Reports

These twenty-five country reports present the situation in each country, largely as captured at the time of national meetings held between September 2004 and June 2005, with some revisions at the time of writing in 2005. The structure and content of the reports builds on that developed in earlier work on inventories of data definitions, sources, and collection systems (Poulain, Debuissou and Eggerickx, 1990; Salt, Singleton and Hogarth, 1994; Poulain, 1997; Salt and Singleton, 1995; Singleton and Albiser, 2002).

The information contained in each of the following reports was compiled as the result of a rigorous and thorough exercise at national level. Initially, a preliminary questionnaire was circulated by the THESIM team. Information was collected from a wide range of sources, from all the main data providers and responsible officials in all relevant ministries. Responses were followed up by email, phone and letter and draft country reports were prepared and circulated. Then twenty-five country meetings were held to examine the draft reports.

The authors and editors would like to thank the National Contact Points of the European Migration Network and the National Statistical Institute who organised the meetings in each country, bringing together, in some cases for the first time, the responsible officials from all relevant ministries. The detailed content of each national report was discussed and the draft reports were subsequently revised. Some additional information has been added to the country reports from the official websites of national ministries and NSI.

In such a rapidly changing field it is inevitable that some information will already have been overtaken by events and that changes in policy and legislation at national and EU level will result in changes to administrative practices, data-collection systems and in data definitions and categories. The authors hope, nonetheless, that these reports will be of practical use to data suppliers and users for some time to come. We apologise for any misunderstandings of the reality of the situation in each country.

The information contained in each of the following reports is an extraction of the original THESIM country reports.

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Extract from Country Report

Belgium

Nicolas Perrin and Michel Poulain

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

All types of acquisitions of citizenship are recorded by Immigration Service in the RN. The Immigration Service could produce statistics on applications, successful and unsuccessful procedures, but, unfortunately, it does not. The RN allows only for the production of statistics on successful procedures.

There are two main types of procedures to obtain Belgian citizenship: acquisition or attribution of citizenship. The difference relies on the fact that acquisition requires the expression of the will of the person whereas attribution does not (for example, a child may obtain Belgian citizenship by attribution, without expressing their will).

Four types of attribution of the Belgian citizenship exist:

- because of the citizenship of the father or mother;
- because of an adoption;
- because of birth in Belgium;
 - for children who may become stateless;
 - for children whose at least one parent was born in Belgium;
 - for children up to the age of twelve, if their parents have been living in Belgium for ten years;
- by collective effect of an acquisition for children up to the age of eighteen, if one parent obtains the Belgian citizenship.

Five types of acquisition of citizenship exist:

- by declaration (if a foreigner of age was born and has always been living in Belgium; if one parent of a foreign of age acquired the Belgian citizenship; after seven years of residence, if the foreign has an unlimited residence permit);
- by option (if a foreigner of age was born in Belgium and has been living in Belgium between fourteen and eighteen, or for nine years, (not having been always living in Belgium if a foreigner of age has been living in Belgium for one year up to the age of six and has been

living in Belgium between fourteen and eighteen, or for nine years...);

- by the foreign spouse of a Belgian citizen (if the couple has been living together for three years, six months after the marriage;
- by *possession d'état de Belge* (if a foreigner has been considered as a Belgian citizen for ten years because of an administrative error);
- by naturalisation (after three years of legal residence in the general case; after two years of legal residence for refugees).

Dual citizenship is allowed for foreigners acquiring Belgian citizenship.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics Belgium publishes annual statistics on acquisition of citizenship. It receives information about all changes of citizenship from the RN. All persons receiving Belgian citizenship are included, whatever the motive and the procedure of acquisition, unless they do not reside in Belgium at the date of naturalisation.

All variables requested by the EU Regulation are available but the total numbers of acquisitions in the different international databases are inconsistent.

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Extract from Country Report

Czech Republic

Dorota Kupiszewska and Beata Nowok

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

Data on acquisition of Czech citizenship are recorded in the Register of acquisitions of citizenship (*Evidence nabytí státního občanství*). The authority responsible for the database is the General Administration Department of the Ministry of the Interior.

Until 1968, only Czechoslovak citizenship existed. Following the establishment of the Czechoslovak Federation, in 1969, all Czechoslovak citizens also had a republic citizenship - 'Czech citizenship' or 'Slovak citizenship'. For persons born before 1st January 1954 this was determined according to their birthplace. For those born after this date, republic citizenship was determined by the republic citizenship of their parents. A new Act on acquisition and loss of citizenship was adopted in 1992 due to the division of the former Czechoslovak Socialist Federal Republic (CSFR). Natural persons who were nationals of the Czech Republic as of 31st December 1992, and at the same time nationals of the Czech and Slovak Federal Republic, became nationals of the Czech Republic as of 1st January 1993.

According to the current legal regulation Czech citizenship may be acquired by:

- Birth:
 - based on *ius sanguinis* - if at least one parent is a Czech citizen;
 - based on *ius soli* - if the parents are stateless and at least one of them has a permanent residence in the Czech Republic;
- Adoption - if at least one adoptive parent is a Czech citizen:
 - determination of paternity - if child is born out of wedlock and mother is a foreigner or stateless person and father is a Czech citizen;
 - being a foundling in the area of the Czech Republic;
- Declaration - in case of former Czechoslovak nationals and some of their descendents:

- Naturalisation - under some conditions including for example a permanent and continuous residence in the country for at least five years (required length of permanent residence could be shortened in some cases, for example for foreigners who married Czech citizen) and a certificate of knowledge of the Czech language.

The current legal regulation is based on the principle of prevention of dual or multiple citizenship, however in a whole range of cases it enables a person to have double or multiple citizenship, for example in the case where a Czech citizen acquires another citizenship automatically. This may happen without a request from the person (for instance by birth or marriage) as well as in many other cases connected with the dissolution of the former CSFR (e.g.: for former CSFR nationals who opted for Slovakian citizenship during 1993; or for former CSFR nationals who acquired the Slovakian citizenship after 2nd September 1999).

Naturalisation is under the responsibility of the Ministry of the Interior. Applications for naturalisation should be lodged with the regional administration office (*krajský úřad*) (in Prague at the Office of the City District, in Brno, Ostrava and Plzeň at the Office of the City Council) according to the applicant's place of permanent residence. The decision is made by the Ministry of the Interior within 90 days of the day when the application for naturalisation has been delivered to the Ministry. The decision is sent back to the regional office where the application was submitted. When a positive decision on granting citizenship is made, the regional office where the application was submitted transmits the information to the ISEO, Aliens Register and back to the Ministry of the Interior. Acquisition of citizenship by declaration is within the competence of the regional administration office (in Prague at the Office of the City District, in Brno, Ostrava and Plzeň at the Office of the City Council) and is notified to other authorities including the police and the Ministry of the Interior.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The authorities responsible for production of statistical data on acquisitions of citizenship are the Czech Statistical Office and the General Administration Department of the Ministry of the Interior. The data are produced on an annual basis. All acquisitions of citizenships by naturalisation based on request and declaration are included in the statistics.

The figure in the 2001 DG JLS Annual Report is more less than half that reported by the CSU. This is the consequence of the exclusion of the former Czechoslovak citizens acquiring the Czech citizenship by declaration.

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Extract from Country Report

Denmark

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

In Denmark several authorities are in charge of processing applications for Danish citizenship. Declarations on citizenship may be submitted through a county governor, the Prefect of Copenhagen, the High Commissioner of the Faeroe Islands or the High Commissioner of Greenland. Applicants for citizenship by naturalisation have to submit their application to the local police or to the Chief of Police in Copenhagen. The Naturalisation Division of the Ministry of Justice deals with naturalisation applications, but all decisions on applications for citizenship by declaration and naturalisation are made by Parliament.

Information about citizenship is held in the CPR. If a person holds more than one citizenship, and if one of these is Danish, the person is registered as Danish. If none of these is Danish, the citizenship for which the person shows identification is registered.

A Danish citizen is a person who by birth, marriage of parents, adoption, declaration or parliamentary act (i.e. naturalisation), has received the Danish citizenship. The right to acquire Danish citizenship by declaration applies only to persons aged between 18 and 23 who have resided in Denmark for at least ten years (and among these at least five years within the last six years). Conditions for naturalisation generally include a minimum of 18 years of age, permanent residence in Denmark, at least nine years uninterrupted stay and other modalities. Several exceptions are also foreseen (e.g. for stateless persons and refugees and spouses of Danish citizens and for Nordic citizens). Multiple citizenships are generally not allowed.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics Denmark produces statistics on acquisitions of citizenship based on changes of citizenship received weekly with all other demographic events from the CPR which in turn receives reports from the permitting authorities. In the CPR only one country of citizenship is recorded, even if person has more than one.

All variables requested by the EU Regulation are available.

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Extract from Country Report

Germany

Veronika Bilger and Albert Kraller

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

In Germany, the *Länder* are responsible for the implementation of citizenship regulations, while the legislative competence exclusively lies with the central state. Applications for naturalisation are processed by local naturalisation authorities. Only naturalisations from abroad are processed centrally by the Federal Office of Administration.

The conditions for acquisition and transmission of citizenship are laid down in a variety of different acts. After the last major reform of citizenship law in 2000, there are six ways of acquiring German Citizenship. Citizenship may be acquired by birth, by adoption (in the case of minors), by declaration, by reparation (*Wiedergutmachung*), by belonging to German stock (*Volkszugehörigkeit*) or by naturalisation. The right to acquire German citizenship by reparation applies to all persons and their children and children's children, expatriated between 1933 and 1945 for political, race-related or religious reasons with legal entitlement to German citizenship.

Since 2000 the Citizenship Law provides for a period of eight years of residence in the territory after which citizenship can be acquired. General requirements are: good moral conduct of the applicant, the possession of a valid residence authorisation, positive stance towards the federal state, adequate means of subsistence, adequate German language skills. If immigration authorities have initiated procedures to terminate the residence status of the applicant for application, or a residence ban has been issued against him/her, the application is not considered. The same provisions apply on relatives of naturalising foreigners, even if they have been resident for less than eight years (co-naturalisation). Concerning the waiting period there are some exceptions such as for recognised refugees, displaced and stateless persons where a legal residence of at least seven years is required or five years if born in Germany. In addition family members of Germans enjoy shorter waiting periods.

Since August 1999, until when persons 'belonging to German stock' (within the meaning of Article 116 Basic Law) (*Aussiedler*) had to have their

status claim screened by regional naturalisation authorities, ethnic Germans obtain German citizenship automatically after screening of their claim by the Federal Office of Administration. As no renunciation of former nationality is required, dual citizenship may occur.

If an alien who has settled in the federal territory acquires nationality otherwise than by descent, the regional Immigration Authorities are notified. This decision leads to the deletion of all records related to the naturalised person in the AZR and the asylum database MARiS.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics on acquisition of citizenship produced by DESTATIS are based on the records of the local naturalisation authorities. Statistics are published annually, referring to the calendar year.

The way in which data on naturalisation is collected has changed frequently during the last one and half decades or so, resulting in several data breaks. Naturalisation statistics have been given a legal basis only in 2000. The 2000 reform also determined the variables to be collected. Statistics are available by former nationality and, if applicable, nationalities retained after naturalisation, legal basis of acquisition (all grounds can currently be distinguished), age, sex, residence at naturalisation and duration of residence in Germany. From 2005 onwards an additional variable on age upon entry in Germany should be available. Accordingly all variables requested by the EU Regulation are available.

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Extract from Country Report

Estonia

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The Citizenship and Migration Board under the Ministry of the Internal Affairs is responsible for processing applications for Estonian citizenship. Information on applicants and decisions to grant or remove Estonian citizenship are recorded in the Database of persons who have applied for the acquisition or restoration of Estonian Citizenship. After the Republic of Estonia was restored in 1991, the 1938 citizenship law of Estonia was restored. Citizenship was restored or granted to those who had been citizens prior to the occupation of Estonia by the Soviet Union and to their descendants. In 1995 a new Citizenship Act entered into force that introduced new rules for acquiring Estonian citizenship by birth, naturalisation or other procedures. The purpose of this act was to enable aliens permanently living in Estonia to acquire Estonian citizenship.

The right to acquire Estonian citizenship by naturalisation applies to persons who are at least fifteen years old, have stayed in Estonia on the basis of a permanent residence permit for at least five years and fulfil other cultural and linguistic conditions stated by the Law.

Dual citizenship is prohibited by law. A person, who in addition to the Estonian citizenship acquires another citizenship by birth, has to waive either Estonian or the other citizenship within three years after he or she attains the age of eighteen.

There are a number of citizens of the former USSR staying in Estonia since 20th August 1991 who have no right to Estonian citizenship by birth or by descent. These persons remain 'persons whose citizenship is not determined' until they have applied for Estonian citizenship or another one (and have informed the Estonian authorities). These persons must apply for a residence permit. However, on request they may be granted an Estonian aliens' passport for foreign travel purposes – so-called 'grey passport'. An amendment act adopted in 1998 gave the right to obtain citizenship to children born in Estonia after 26th February 1992 who do not have citizenship of another state, if their parents (or single parent or adoptive

parent) are stateless or 'persons whose citizenship has not determined' and have been residents in the country for no less than five years.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The Citizenship and Migration Board produces statistics on acquisition and loss of citizenship and these are published by Statistical Office of Estonia. The source for that information is the Database on Persons applying for Estonian Citizenship or Renovation of Estonian Citizenship and Database on Persons who have Renounced Estonian Citizenship. Data on changes of citizenship are based on decisions on acquisition of citizenship by naturalisation and on acceptance of renunciation of Estonian citizenship by the Citizenship and Migration Board.

Data on acquisition and loss of citizenship are produced annually and monthly, disaggregated by former and next citizenship.

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Extract from Country Report

Greece

Giambattista Cantisani and Valeria Greco

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

There are three levels of registration of acquisitions of citizenship: a central level at Ministry of the Interior regarding naturalisation cases, a regional level regarding selected naturalisations and a local one regarding acquisitions based on grounds such as adoption or recognition of children. In any case all naturalised persons must be recorded in the Civil Register of a Greek municipality.

According to the last regulation, Greek citizenship may be acquired as follows, including the main cases:

- By birth:
 - A child born to a Greek citizen acquires Greek citizenship. A person born in Greece acquires Greek citizenship provided that he/she does not acquire a foreign citizenship by birth or that he/she is of unknown citizenship.
- By adoption (limited to minors).
- By legitimisation (recognition):
 - A foreigner born out of wedlock who is legitimised by a Greek citizen becomes Greek as from the date of legitimisation, if at that time he/she has not attained legal age (eighteen).
- By naturalisation:
 - Naturalisation may be granted to foreign citizens who have reached the age of eighteen at the time of submission of the application and who have no criminal record. In addition, a person of non-Greek origin must have been legally resident in Greece for a total of ten out of the twelve years preceding the application; the spouse of a Greek national, a stateless person or a foreigner who has been recognized as a refugee only need a five-year residence. In the above-required period the time spent in Greece as a diplomatic agent or administrative officer of a foreign country cannot be included. The residence requirement does not

apply to persons who were born and live in Greece and to some ethnic Greeks abroad (e.g.: a second generation Greek migrant to USA staying there). Greek Pontiaks first need to have their special ethnic status recognised and then access the country for the purpose of requesting Greek citizenship. A second case, under specific provisions means that ethnic Greeks of Albanian citizenship generally have no access to Greek citizenship.

The application for naturalisation is submitted to the authorities of the town or village in which the foreigner lives or resides. In the case of a person of Greek ethnic origin, resident abroad, the application is submitted to the consular authority of their country of residence and it is then transmitted to the Ministry of the Interior. Naturalisation takes place following a decision of the Minister of the Interior. Ethnic Greek Pontiaks can get Greek citizenship with a decision taken by the Secretary General of Region and not from the Minister of the Interior.

Each naturalised person must be recorded in the Civil Register of the municipality of residence after making a declaration of loyalty. People applying from abroad will be recorded in the local Civil Register of the Greek municipality they will mention in their application.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Greek statistics on acquisitions of citizenship refer to the calendar year and are produced once a year. These statistics cover only the cases of naturalisations directly granted by the Ministry of the Interior. Therefore, statistics presumably include the naturalisations of persons living abroad and exclude the naturalisations of some categories of persons living in Greece like Greek Pontiaks granted at regional level and those persons granted citizenship by the municipalities on grounds such as adoption or legitimisation of minors.

Due to the decentralised nature of data collection the overall count will be unreliable because of different procedures adopted by the regions for the cases under their competence. It is not possible to provide annually detailed tabulations by previous country of citizenship of naturalised persons.

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Extract from Country Report

Spain

Yves Breem and Xavier Thierry

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The General Direction of Register and Notaries from Ministry of Justice is responsible for all acquisitions of Spanish citizenship. The different types of acquiring Spanish citizenship are a combination of the *ius sanguinis* and *ius soli* legal bases. Another main principle is the renunciation of previous citizenship, although there are several exceptions based on the cultural and linguistic affinities between Spain and several central and southern American countries.

Spanish citizenship may be granted on the grounds of birth-origin, marriage, option (specific cases for those aged over eighteen years), naturalisation and re-acquisition (by descent). Acquisition by birth is recognised when a child is born to at least a Spanish parent or when a child is born in Spain with at least one parent also born in Spain. Foreign spouses of a Spanish citizen may apply for Spanish citizenship if the couple lives together and if the foreigner partner has resided at least one year in Spain.

Foreigners over the age of eighteen may also apply for naturalisation if they have resided in Spain (normally) for ten years, are of 'good character' and are sufficiently accustomed with the Spanish society, provided there is no objection on the grounds of public policy or national interest. The residence period requirement is reduced to five years for refugees; two years when the applicants are Ibero-Americans, Andorrans, Philippinos/as, Guinea Ecuatorians, Sephardic Jews or Portuguese and to one or two years when the person has a special tie with Spain.

The applications for all types of acquisition of Spanish citizenship take place in the Civil Register of the residence of the applicant. The Department for Citizenship is responsible for deciding on relevant applications and, in case of appeals against negative decisions. Citizenship is granted by the Ministry of Justice through an order which updates the information in the Civil Register.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

INE is responsible for publishing data on acquisitions of citizenship. Persons regaining Spanish citizenship are not included in the statistics.

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Extract from Country Report

France

Yves Breem and Xavier Thierry

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

Two authorities are responsible for granting citizenship: the Ministry of Employment, Labour and Social Cohesion (*Sous-Direction des naturalisations*) and the Ministry of Justice (*Direction de l'administration générale et de l'Équipement*).

There are several ways of obtaining French citizenship:

- On grounds of birth and residence in France: children born in France of non-national parents acquire it automatically at the age of eighteen if they reside in France or have lived for at least five years since the age of eleven (without any registration in this case of *ius soli*). They can also claim it by declaration from the age of sixteen. With their personal consent, French citizenship can be declared by parents from minors aged thirteen. The condition of five years of residence in France must always be satisfied.
- By declaration on grounds of marriage: non-nationals married to a French spouse can acquire citizenship after two years of marriage (three years when length of residence in France is under one year) with certain conditions related to the stability of the union and degree of assimilation. A declaration can also be made for minors adopted by French citizenship or by anyone who has enjoyed uninterrupted possession of *de facto* French status for ten years. The declaration has to be done to the First instance court (*Tribunal d'Instance*, Ministry of Justice). An appeal can be lodged with the *Tribunal de Grande Instance*.
- By acquisition by a decision of the authorities: anyone usually resident in France for five years can request naturalisation. The waiting period can be reduced to two years if the foreigner has successfully completed two years in a French higher education institution, or if by their ability and skill they had rendered, or would render, great services to France (acquisition by decree). When a parent acquires French citizenship, any children under the age of

eighteen of the beneficiary automatically become French if they are usually resident with that parent (acquisition by collective effect). At any age and with no waiting period, a person able to show that they had once been a French citizen can be reincorporated into this citizenship by decree, conditional on having retained clear ties with France.

Persons wishing to be naturalised are required to contact the *Préfecture* of their place of residence. Applicants are summoned to evaluate their assimilation of the customs and practices of France and knowledge of French. The application is transmitted to the Sub-Department of Naturalisations together with the considered view, the latter taking the final decision. If naturalisation is rejected or adjourned, an appeal can be lodged with the Administrative Court of Nantes.

Whatever the mode of acquisition, the proof of French citizenship is the certificate of French citizenship, issued at the First Instance Court. Since 1st of September 1998, the issue of the certificate of citizenship is marked in the margin of the birth registration record and/or the family record book, thus avoiding an application for a new certificate of citizenship each time a person needs to prove his or her French citizenship.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The two authorities responsible for registering acquisition of citizenship (Ministry of Employment, Labour and Solidarity: Department of Population and Migration, Sub-Department of Naturalisations in one hand; Ministry of Justice in another one) are producing a common annual statistical report.

Two main categories of acquisitions come under the responsibility of the Sub-Department of Naturalisations for statistical purposes: acquisition by decree (naturalisation and reincorporation) and acquisition by declaration on grounds of marriage. The other acquisitions by declaration are the responsibility of the Ministry of Justice and give rise to specific statistics.

Additionally, absent by definition from all statistics are the acquisitions that occur automatically (minors reaching their eighteenth birthday, born in France and resident for more than five years since age eleven). Their number is estimated each year, as is the number of young people requesting a certificate of French citizenship and basing this request on an automatic acquisition. It should be noted that the statistics available in different sources vary in coverage: sometimes they include acquisitions processed

abroad. They can also include minors benefiting from the acquisitions of their parents (under the so-called 'collective effect').

The statistics are available by place of residence, place of birth, previous citizenship, age, and length of stay or length of marriage depending on the mode of acquisition. These characteristics will be available only for odd-numbered years for the acquisitions that are under the responsibility of the Ministry of Justice.

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Extract from Country Report

Ireland

Nicolas Perrin

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The main database on acquisition of citizenship in Ireland is the 'Citizenship database' of the Immigration Section (Department of Justice, Equality and Law Reform).

Acquisition of citizenship is based upon the Irish Nationality and Citizenship acts and regulations established from 1956 to 2004. The most recent changes come from a referendum held in June 2004 which repealed the principle of *ius soli* as the only condition for automatically granting Irish citizenship to children born in Ireland. From 1st January 2005 Irish citizenship may be acquired by birth, application (descent or marriage) and naturalisation, as follows.

First, Irish citizenship by birth is the right of:

- any child born in Ireland, provided that at least one of the parents has been legally resident in the country for three of the four years preceding the child's birth (excluding periods for education or asylum procedure);
- any child born outside Ireland to a father or a mother born in Ireland.

Irish citizenship may be acquired by application through an Irish born grandparent to:

- any child born outside Ireland, if at least one of the parents is an Irish citizen born outside Ireland and if the applicant has at least one Irish born grandparent, through his/her birth's registration in the Foreign Births Register (FBR). Since 1st July 1986 a person registered in the FBR after 1986 is considered to be an Irish citizen only from the date of the registration, therefore their children are entitled citizenship only if born after his/her registration. Persons registered before July 1986 are considered Irish citizens either from the date the original Citizenship Act came into force, i.e. 17th July 1956, or their date of birth, whichever is later; thus only children born after 17th July 1956 can claim citizenship in such cases.

Irish citizenship may also be acquired by application based on marriage to an Irish citizen, to:

- the spouse of an Irish citizen, who declares acceptance of Irish citizenship at least three years after the marriage to the Irish spouse or attainment of Irish citizenship by the spouse, provided the marriage is still lasting. This modality was valid, under several conditions, for a transition period from 30th November 2002 to 30th November 2005. Since this transition period expired it is necessary to apply for a certificate of naturalisation based on marriage to an Irish citizen, and subject to a number of conditions, including residency in Ireland.

As a last modality, Irish citizenship is granted at the discretion of the Ministry of Justice by naturalisation to:

- any non-Irish national legally resident in Ireland who has been legally resident in the country for a cumulative period of four years out of eight and continuously in the year before application (excluding periods for education or asylum procedure). The applicant must provide one year's prior notification of their intention to apply and show proof of his/her intention to reside in Ireland after naturalisation. There may be, however, exceptions for special reasons.

Irish law recognises dual citizenship and does not require applicants to renounce any other citizenship held at the time of application. Applicants should however always clarify the position governing the adoption of a second citizenship with the authorities of their other country of citizenship.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics on all acquisitions of citizenship are published by the CSO using data from the Citizenship database (Department of Justice).

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Extract from Country Report

Italy

Giambattista Cantisani and Valeria Greco

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The responsible authority for the Granted Citizenship Register (*Archivio delle concessioni di cittadinanza*) is the Citizenship Unit of the Ministry of the Interior.

A law established new citizenship rules in Italy in 1992, abrogating all previous laws and provisions. Several successive acts and decrees further defined the new rules. Therefore, there are two broad modalities for acquiring citizenship, i.e. automatically and upon application (voluntary acquisition), which broadly correspond to the two procedures of access respectively through the municipalities or the prefectures and the Ministry of the Interior.

Automatic acquisition may be based on the following reasons:

- descent (*ius sanguinis*), for which the child of an Italian father or mother is Italian;
- birth in the territory of the country (*ius soli*), if both parents are unknown or stateless persons, if the foreign parents are not eligible to transfer citizenship of their own country, or if the child is found abandoned;
- recognition of paternity or maternity by an Italian parent or judicial declaration of affiliation during the minority of the child;
- adoption of minors;
- re-acquisition, one year after the establishment of the residence in the country, except the cases of renunciation.

Voluntary acquisition may be accessed for of one of the following reasons:

- birth and/or prolonged residence (a special case of naturalisation), to children born to foreign parents who have resided continuously and legally from birth to legal age, provided that they lodge their application before they have reached the age of 19 (Article 4 of the 1992 law);

- descent, to direct descendants of Italian citizens by birth (up to the second level) who have served in the Italian army, performed public tasks on behalf of the Government or are resident in Italy for at least two years on becoming 18 (Article 4);
- marriage, to the foreign spouse of an Italian citizen after at least six months of legal residence in the country established by the inscription in the *Anagrafe* or three years of marriage, living together with the partner in a valid marriage, with good character and integrated in the society (even without knowledge of the Italian language), provided there are no threats to national security (Articles 5 and 7);
- naturalisation, of foreigners in respect of several requirements, mostly sufficient income, no criminal record and a continuous period of legal residence in Italy of a minimum of ten years as a rule¹ (Article 9). This category also includes the attribution of citizenship to persons who have provided distinguished service to Italy;
- re-acquisition, mostly to foreigners who had renounced Italian citizenship because of the acquisition of citizenship of another country that does not recognise dual citizenship.

Minor children of persons who acquire, or re-acquire Italian citizenship, automatically acquire Italian citizenship. They may renounce citizenship at the age of eighteen. However, the precondition for any person of renunciation of citizenship is the possession of an alternative citizenship. Furthermore, recently relevant in number cases of acknowledgment of citizenship on the basis of *ius sanguinis* concern the descendants of Italian citizens living abroad. During a period only from 1999 to 2003 about 390,000 persons (45% from Argentina) were acknowledged as Italian citizens by the diplomatic missions. As already made evident above, dual or multiple citizenship is allowed.

Automatic acquisitions of Italian citizenship are established through a simple official recognition and registration procedure. In the case of adoption, Italian citizenship is automatically attributed by the mayor of the municipality to the child adopted at the time he/she is registered in the *Anagrafe* on the basis of the adoption certificate issued by a regional tribunal. This procedure applies also to the acquisitions by birth and prolonged

¹ As an exception, the minimum length of legal residence may be seven years for foreigners on judicial affiliation by Italian citizens; five years for stateless persons and refugees and for adult foreigners adopted by Italian citizens; three years for descendants of Italian citizens by birth (up to the second level) and foreigners born in the Italian territory; four years for citizens of another EU MS. No period of residence is required for foreigners who have served for at least five years as employees of the State abroad.

residence, most of the voluntary acquisitions by descent, the re-acquisitions and the naturalisation of minors after the registration of their parents' new citizenship at municipalities.

Applications for voluntary acquisition of Italian citizenship are mostly submitted to the provincial prefectures and therefore transmitted within one month to the Ministry of the Interior. At the same time the prefecture asks the police to investigate and provide their opinion. All documents are thus centralised at the Ministry of the Interior, which issues the decision based on discretionary powers after two years on average. In the case of a positive decision a decree of attribution of Italian citizenship is released and a certificate sent to the applicant through the prefecture and the municipality of residence. After this the applicant has six months to declare an oath of allegiance before the mayor of the municipality. Information on new citizenship is updated in the population registers; furthermore, the Council of State operates as appeal authority.

The above-mentioned procedure for naturalisation or acquisition of citizenship through marriage involves the diplomatic or consular authorities when the applicant lives abroad (e.g. the spouse of an Italian citizen who left Italy after a period of residence in Italy and who is therefore registered in the AIRE of the municipality of last residence in Italy). In addition, the Ministry of Foreign Affairs directly processes the cases of acknowledgment of citizenship by Italian descendants abroad. Information concerning such cases is not transferred to the Ministry of the Interior.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Italian statistics on acquisition of citizenship are provided by Citizenship Unit of the Ministry of the Interior which is also responsible for granting citizenship and registration of all voluntary acquisitions. These statistics are compiled once a year (or whenever requested) and published on an annual basis. They only refer to voluntary acquisitions through marriage with a citizen, some acquisitions by descent and most cases of naturalisation, in accordance with Articles 5, 7 and 9 of the 1992 law.

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Extract from Country Report

Cyprus

Giambattista Cantisani and Valeria Greco

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

Acquisition of citizenship in Cyprus makes significant reference to the date of Independence (16th August 1960). Any British subject who was born in Cyprus before that date, or whose father or grandfather was born in Cyprus may automatically become a citizen, if he or she was ordinarily resident in Cyprus at any time in the five-year period immediately prior to the 16th August 1960. Any person of Cypriot origin who was absent from Cyprus during the five years prior to 16th August 1960 may also apply for Citizenship of the Republic of Cyprus.

According to the current legislation for Citizenship (Civil Registry Laws 2002–2003), Cypriot citizenship may be acquired as follows:

- by birth:
 - any person born in Cyprus starting from 16th August 1960 whose father is a Cypriot citizen, or after 11th June 1999 whose mother is a Cypriot citizen;
 - any person born abroad starting from 16th August 1960 whose father is a Cypriot citizen or after 11th June 1999 whose mother is a Cypriot citizen, if this person is residing permanently in Cyprus.
- by registration (for descent, for persons married to Cypriot citizens and for minors):
 - persons born abroad after 16th August 1960 whose father is a Cypriot citizen or after 11th June 1999 whose mother is a Cypriot citizen, if the person is residing permanently abroad;
 - persons of legal age (over eighteen) of Cypriot descent born after 16th August 1960;
 - citizens of the United Kingdom and Colonies or of a Commonwealth country, of Cypriot origin and legal age who reside for one year in Cyprus or are employed in the public service and who intend to continue to reside in the country;
 - the spouse or widower/widow of a Cypriot citizen or of a deceased person who, if still alive would have become, or would

have had the right to become, a Cypriot citizen and who was living together with him/her for a period of at least three years of marriage and harmonious cohabitation (two years in special cases and upon decision of the granting authority);

- minors (under eighteen) whose parents have acquired Cypriot citizenship after their birth.

▪ by naturalisation:

- to foreign citizens of legal age who were legally residing in Cyprus and who in the last eight years before their application accumulated more than five years of residence.

The Republic of Cyprus continues to recognize the citizenship and right to citizenship of all Turkish Cypriots in the occupied territory. Passports will be issued to those who can provide proper documentation. However, foreigners who have settled without the permission of the Republic of Cyprus in areas under control of the Turkish forces are not considered legitimate claimants to Cypriot citizenship.

Dual citizenship is accepted.

Applications must be submitted to the consular authorities abroad or the Office of Civil Registry and the Migration Department in Nicosia or the offices of the District Officers. Decisions may take from two months to two years. Information on granting Cypriot citizenship is then recorded in the Civil Registry.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The authority responsible for producing statistical data on acquisition on citizenship is the Civil Registry and Migration Department in the Ministry of the Interior. The source of data is the Civil Registry. Statistics are produced and published annually.

Data available in the Eurostat database refer only to ordinary naturalisations. On the other hand, the number of positive decisions on acquisition of citizenship presented in the 2001 DG JLS Annual Report on Asylum and Migration is much larger as it includes the acquisitions of citizenship by foreign spouse of Cypriot citizens, by adult persons of Cypriot origin and by minor children of Cypriot citizens. A breakdown by previous citizenship could be available for acquisitions of citizenship by naturalisation only. [Top](#)

Extract from Country Report

Latvia

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The Naturalisation Board under the supervision of the Ministry of Justice is responsible for handling matters of acquisition and lost of citizenship. Regional branches of the Naturalisation Board register the status of a citizen of Latvia and accept and review naturalisation applications, process applications for renunciation and for restoration of the citizenship of Latvia. The information about acquisition of citizenship and new citizens is recorded in the Population Register. For its internal use the Ministry of Justice maintains a database with the follow-up of all applications for citizenship.

A Latvian citizen is a person who by birth, by descent, by notification or by naturalisation has received Latvian citizenship. The right to acquire Latvian citizenship by notification applies to persons who are at least fifteen years of age, are registered in the Population Register of Latvia, have a permanent residence permit, have resided in Latvia for at least five years and fulfil other conditions set out in the Citizenship Law.

Dual citizenship is generally not recognised in Latvia. If a Latvian citizen may, in accordance with the laws of a foreign state, be simultaneously considered also a citizen of that State¹, in legal relations with the Republic of Latvia he or she is considered solely as a Latvian citizen. Dual citizenship is not allowed in the case of naturalisation. A non-citizen of Latvia who has acquired the citizenship of another country will lose the status of non-citizen and have the right to apply immediately for a permanent residence permit. The validity of this permanent residence permit should be renewed every five years.

Applications for acquisition of citizenship are be presented to the Naturalisation Board. The Naturalisation Board accepts and reviews the applications for naturalisation and determines whether or not a resident has

¹ As an example, a citizen of Latvia may have acquired the citizenship of another state automatically, i.e. not having manifested his/her will.

qualified for the citizenship of Latvia, including a check as to whether the person has a permanent residence in Latvia. The applicant has to prove renunciation of their previous citizenship.

In the case of a positive decision, a document attesting that the citizenship of Latvia has been granted is issued and when presenting this document a person may apply for a passport of a citizen of the Republic of Latvia. Thereafter information about the new Latvian citizen is transmitted to the Population Register.

A refusal of naturalisation by the Naturalisation Board may be appealed against to a court; otherwise persons can reapply a year after the denial of the previous decision.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

CSB is responsible for producing and disseminating statistics on acquisition of citizenship. The source for that information is the changes of citizenship recorded in the Population Register. Persons who obtain Latvian citizenship, during the observation period, by naturalisation are included in the statistics. Data on citizenship acquisition by birth or by descent is not included in statistics.

Statistics are produced annually. All variables requested by the EU Regulation are available, but some discrepancies have been observed in the data available in international databases. This may be attributed to the fact that data supplied by different institutions may refer to different periods and different concepts of non-nationals.

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Extract from Country Report

Lithuania

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The Migration Department under the Ministry of Internal Affairs and the Migration Services are responsible for processing applications on acquisition of citizenship issues and the President of the Republic of Lithuania shall resolve issues concerning special cases.

Therefore the Ministry of Internal Affairs holds an internal database with all citizenship applications with concerning decisions (except applications, which are resolved in the Migration Services and by the President of the Republic of Lithuania). Positive decisions will be recorded in the Residents Register and the concerned person will be issued new document by the Document Centre (ID card or passport).

A Lithuanian citizen is a person who by birth or by naturalisation has received Lithuanian citizenship. Person may acquire Lithuanian citizenship by naturalisation upon application when residing permanently in the country for at least ten years, having a legal source of support and accepting to renounce the citizenship of any other state. Additional conditions include examination in the Lithuanian language and the Constitution's basic knowledge. Some exceptions apply to persons aged 65 years or over, some disabled persons and foreigners who have been granted a refugee status in the Republic of Lithuania.

Persons who held the citizenship of the Republic of Lithuania prior to 15th June 1940, their children, grandchildren and great-grandchildren, provided they did not repatriate and persons of Lithuanian descent keep the right to citizenship for an indefinite period. There are also special rules for persons who have lost citizenship of the Republic of Lithuania, order to restore Lithuanian citizenship upon grounds provided in Law on the Citizenship.

All applications for acquisition or restoration of citizenship have to be addressed to the President of the Republic of Lithuania through specific executive institution in each municipality or diplomatic and consular offices of the Republic of Lithuania abroad. A commission for citizenship affairs

established by the President of the Republic deals with particular issues relating to citizenship. Those who are granted citizenship by naturalisation or by exercising the option right must take an oath of allegiance to the Republic of Lithuania and sign it in a public ceremony. Other cases of acquisition (by birth, restoration of citizenship, by persons of Lithuanian descent) shall be resolved by the Migration Department or Migration Services.

Dual citizenship is generally not recognised in Lithuania but legislation provides in exceptional cases for granting the citizenship by mean of naturalisation without the renunciation of the applicant's existing citizenship.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The Ministry of Internal Affairs produces statistics on acquisition of citizenship. The source for data on decisions about granting the citizenship is the internal database of the Ministry of Internal Affairs. This includes only applications processed by Migration Department and excludes those resolved by the migration services and by the President of the Republic of Lithuania. Persons who obtain Lithuanian citizenship during the observation period by naturalisation, by descent, by voicing one's option or on other grounds and their country of usual residence is Lithuania are included in statistics. Obtaining citizenship by birth is not included in statistics. Dual citizenship is allowed in case of naturalisation, in exceptional cases.

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Extract from Country Report

Luxembourg

Nicolas Perrin and Michel Poulain

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The acquisition of citizenship is under the responsibility of the *Service de l'Indigénat* from the Ministry of Justice.

Since the *ius sanguinis* is prevailing in the national legislation, the citizenship is mostly and primarily acquired by descent.

The types of acquisitions of citizenship may be classified according to the modality and then the reason, as follows:

Automatic acquisition

- by birth in the country to a child of unknown legal parentage, found in the national territory or born to stateless parents;
- by descent to a child whose father or mother is a citizen of Luxembourg, regardless of the child's country of birth, and to a child born out of wedlock to a foreign mother and Luxembourg father with paternity legally established;
- by adoption, i.e. plenary adoption (by a couple of spouses) by one or two nationals under the age of sixteen or simply adoption of minors (under eighteen) who are stateless or lose their original citizenship as a result of foreign legislation.

Voluntary acquisition

- by declaration of option (administrative procedure). This type of acquisition is reserved to various categories of foreigners with special ties with the country (birth within the territory, adoption, or marriage to a Luxembourg national), mostly children born in Luxembourg from non-national parents, foreign spouses of Luxembourg nationals, and children born abroad to foreign parents

who accomplished their compulsory education in Luxembourg. Conditions for the option are the following:

- eighteen years of age;
- at least five years of continuous residence in the country (only three years for the spouse of a Luxembourg national, but with proof of life in common);
- knowledge of German, French or Luxembourg (the three national languages) and a basic certified knowledge of Luxembourg language;
- no criminal record;
- renunciation of the previous citizenship.

Dual citizenship is allowed only to children born abroad to Luxembourg citizens acquiring it due to laws in the country of birth; however, at age of eighteen these individuals must declare the nationality that they wish to maintain.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics on acquisition of citizenship are produced using data from the *Service de l'Indigénat* from the Ministry of Justice. Even if the current statistics comply with the data requested by the statistical regulation, they should be used carefully due to problems in recording children acquiring citizenship as a consequence of the naturalisation of their parents. Currently those children are recorded on the same form as their parents. Since both parents may acquire the citizenship, children may be counted twice.

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Extract from Country Report

Hungary

Dorota Kupiszewska and Beata Nowok

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

Registration of acquisition of citizenship takes place in the Nationality Register, under the responsibility of the Nationality Directorate within the Office of Immigration and Nationality of the Ministry of the Interior.

Hungarian citizenship may be acquired by:

- Birth:
 - child born from at least one Hungarian parent;
 - child born in Hungary of stateless persons residing in Hungary;
 - child born of unknown parents and found in Hungary.
- Naturalisation - normally a person may be naturalised after eight years of continuous residence in the country; among other conditions, the applicant has to pass an examination in Hungarian language and in basic constitutional skills. The requirement of an eight year period of continuous stay in the country is reduced for some categories of people: five years for persons born in Hungary, persons who resided in Hungary during their minority and stateless; three years for foreigners who married a Hungarian citizen, parents of Hungarian citizen minors, children adopted by Hungarian citizens and recognised refugees; one year for members of an ethnic Hungarian minority of another country.
- Re-naturalisation - for persons resident in the country who lost Hungarian citizenship and fulfil the main requirements for naturalisation (except the period of residence).
- Declaration - for persons who were deprived of their citizenship based on the previous acts as well as for persons under nineteen years born in Hungary who have not acquired a foreign citizenship and are living in Hungary uninterruptedly for at least five years.

Dual citizenship is generally accepted.

Applications are judged by the President of the Republic upon the proposal of the Ministry of the Interior. Requests for granting citizenship should be submitted in person to the registrar of the mayor's office relevant

according to the applicant's domicile, or if the applicant resides abroad, to the officer of the competent Hungarian consulate. After a positive decision and the oath, data are transferred to the Population Register. Persons who received citizenship must fill in a form for the Statistical Office.

Requests for renunciation of citizenship should be directed to the Hungarian Embassy or Consulate in the country of permanent or usual residence.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The authority in charge of producing statistics on acquisition of citizenship is the KSH. The statistical data are published on an annual basis.

Compilation of the statistics is based on the statistical forms 'Questionnaire after the acquisition of Hungarian citizenship' filled in by persons who received citizenship by naturalisation and re-naturalisation. The completed forms are sent by the Ministry of the Interior in paper form. The data are supplemented by the information on acquisition of citizenship by declaration from the Nationality Register. Therefore, statistical data cover naturalisation, re-naturalisation and acquisitions of citizenship by declaration.

Please note that the figure for 2001 in the DG JLS Annual Report is more than two times lower than the figure in the Eurostat database. The figure in DG JLS Annual Report refers to number of positive decisions on citizenship applications (cases) and the figure in Eurostat refers to all persons covered by these applications.

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Extract from Country Report

Malta

Giambattista Cantisani and Valeria Greco

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

Following independence from British rule in 1964, and as outlined in the Constitution, Maltese citizenship was automatically granted to all people born in Malta before 21st September 1964 and with at least one parent born in Malta; and to all persons born in Malta after that date. According to these provisions minor children were permitted dual citizenship, provided they choose between the citizenship of Malta or another country within the twelve months following their eighteenth birthday.

Several changes were later introduced under the legislative measures established in 1965 (Maltese Citizenship Act), 1970 (Immigration Act), 1974 (when Malta was declared a Republic), 1989 and 2000. As a result of this legislative process the Constitution maintains the main citizenship principles while the Maltese Citizenship Act incorporates all detailed provisions. Among the main changes adopted were the equal treatment of foreign husbands and wives of Maltese citizens; children born to Maltese mothers between 21st September 1964 and 31st July 1989 were entitled to register as Maltese citizens; dual or multiple citizenship was allowed (for Maltese emigrants as well as any other person), and thus Maltese citizenship was reinstated to people who had lost it following the acquisition of another citizenship.

Today Maltese citizenship may be granted for the following reasons:

- birth
 - to a person born in Malta if either parent is a Maltese citizen or was born in Malta, emigrated and now is a citizen of another country;
 - to a new-born infant found abandoned in Malta, until his/her citizenship is established;
- descent, through registration
 - to a person born abroad if either one of the parents is a Maltese citizen or was born in Malta, emigrated and now is a citizen of another country;

- marriage, through registration
 - to the foreign spouse (man or woman) of a Maltese citizen who has been married for at least five years and is living together with the partner;
 - to the foreign widower/widow of a Maltese citizen or a person who would have become a Maltese citizen on 21st September 1964 if that person had not died before this date;
- adoption, through registration
 - to a child under ten years of age adopted by at least one Maltese citizen;
- naturalisation
 - to a person who has been resident in Malta for at least five years;
 - to a person of Maltese descent residing abroad who is citizen of a country other than the country where he/she is residing with restricted access to his/her country.

Applications for naturalisations, including the necessary documentation, and a letter explaining the reason for wanting to become a citizen of Malta, must be addressed to the Department for Citizenship and Expatriate Affairs of the Ministry for Justice and Home Affairs. For most applicants two sponsors, who are not relatives, are required. Naturalisation also depends on an adequate knowledge of the Maltese or English language. In the case of a positive decision, information is registered in the Public Registry (upon presentation of a letter prepared by those responsible for people born abroad).

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Data on acquisitions of citizenship, received by the National Statistical Office of Malta from the Department of Citizenship and Expatriate Affairs, are published and provided to the international organisations. Data collection and publication takes place on an annual basis. The requested data may be obtained regularly and according to the breakdown by previous citizenship for both the relevant modalities of acquisition of citizenship (i.e. registration and naturalisation).

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Extract from Country Report

Netherlands

Rob van der Erf, Liesbeth Heering and Ernst Spaan

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The registration of acquisition of citizenship takes place in INDIS, under the responsibility of the IND. According to the Netherlands Nationality Act, most recently amended on 1st April 2003, there are two ways of acquiring Dutch citizenship: by option (attribution) and by naturalisation¹.

People may acquire Dutch nationality by attribution simply by making a declaration that they wish to become a Dutch citizen via the so-called option procedure. This procedure takes approximately three months and is open to certain groups of people living in the Netherlands and to certain former Dutch nationals living abroad. Eligibility for the procedure depends of belonging to one belongs to one of the following categories (in addition to holding a valid residence permit). The individual must be:

- eighteen years of age or older, having been born in the Netherlands and lived in the Netherlands, the Dutch Antilles or Aruba continuously since birth;
- born in the Netherlands, the Dutch Antilles or Aruba, and have lived there for an uninterrupted period of at least three years, having been stateless since birth;
- eighteen years of age or over and have lived legally in the Netherlands, the Dutch Antilles or Aruba since the age of four;
- eighteen years of age or older, a former Dutch citizen and have lived in the Netherlands, the Dutch Antilles or Aruba for at least one year on the basis of a permanent residence permit or a residence permit for a non-temporary residence objective;
- married to a Dutch national for at least three years and have lived legally in the Netherlands, the Dutch Antilles or Aruba for an uninterrupted period of at least fifteen years;

¹ A third way, by law, mainly referring to children born to a Dutch father or mother regardless of the country of birth, is left aside. Registration takes place directly in GBA.

- sixty-five years of age or older and have legally lived in the Netherlands, the Dutch Antilles or Aruba for an uninterrupted period of at least fifteen years;
- a minor, acknowledged by a Dutch citizen and have been cared for and brought up by this Dutch citizen for an uninterrupted period of at least three years.

The application has to be submitted to the municipality (Department of Civil Affairs) in which the applicant lives. The municipality will assess the request and confirm that Dutch citizenship has been granted. If the municipality rejects the application, a written rejection notice stipulating the reasons will be given and it is possible then to lodge an application for review of a rejection. Under-age children can obtain Dutch citizenship at the same time.

Naturalisation is the second way for foreign nationals to acquire Dutch citizenship. Eligibility for the naturalisation procedure, which takes six to twelve months, is based on meeting all the conditions below, in addition to holding a valid residence permit:

- be eighteen or over and have lived in the Netherlands, the Dutch Antilles or Aruba for an uninterrupted period of (generally) five years with a valid residence document;
- be sufficiently integrated in Dutch society and able to read, write, speak and understand Dutch, (generally) proved by a naturalisation test;
- in the last four years have not been given any custodial sentence, training order, community service order or high monetary penalty;
- apart from exceptions, be prepared to give up the current citizenship;
- be in possession of a residence permit for a non-temporary objective, such as family reunification.

The application may be submitted to the municipality where the applicant lives, or if the applicant lives abroad, to a Dutch embassy or consulate. The municipality, the embassy or consulate will assess the application and submit their advice to the IND. The IND will then make its decision and submit the case to the Queen. The Queen will sign the proposal to grant Dutch citizenship. If the IND rejects the application, the applicant will receive a written rejection notice stipulating the reasons. An application for review of a rejection can be lodged. Under-age children can obtain Dutch citizenship at the same time.

Dual citizenship is normally recognised in the case of acquisition by option procedure. In contrast, applicants for naturalisation are generally obliged to give up their original citizenship. Apart from some exceptions,

since April 2003, a person who voluntarily acquires another citizenship automatically loses Dutch citizenship. A Dutch national who has attained the age of eighteen who possesses a dual citizenship and who has lived for an uninterrupted period of ten years in a country outside the Netherlands, the Netherlands Antilles, Aruba or the EU MS, automatically loses Dutch citizenship. However, he/she may retain the Dutch citizenship simply by obtaining a Dutch passport or proof of Dutch citizenship from the embassy or consulate at least once within each ten year period.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Two authorities are responsible for statistics on change of citizenship: the CBS and the IND. The CBS publishes statistics on acquisition and loss of citizenship, and is therefore concerned with the totality of status changes. The IND is responsible for figures on naturalisations only. The data are published on an annual basis.

All information concerning change of citizenship is included in the GBA. Before 1st April 2003, the IND did not register separately the applications of children who were naturalised at the same time as their parents. These children were therefore not included in the IND figures. This is why the IND figures before 1st April 2003 are different from the naturalisation figures of the CBS, as the latter does count all individuals based on information from the GBA.

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Extract from Country Report

Austria

Veronika Bilger and Albert Kraller

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

According to the Austrian Citizenship Act last amended in 1998, there are four ways of acquiring Austrian citizenship: by descent, naturalisation, declaration, and notification. If at least one parent is Austrian citizen the child automatically acquires Austrian citizenship or may do so later by adoption (in case of a minor). The 1998 Citizenship Act provides for different waiting periods after which citizenship can be acquired, depending on in the mode of acquisition, namely whether citizenship is acquired by entitlement, by extension or by administrative discretion. The latter is the most common mode of acquisition of citizenship in Austria and requires a minimum period of ten years of residence in Austria. There is a qualified entitlement for naturalisation after fifteen years and good integration and an absolute requirement after thirty years. Family members of Austrian citizens enjoy shorter waiting periods. For all modes of acquisition, the following general requirements apply: good moral conduct of the applicant, no pending proceedings for the termination of residence or a residence ban, positive stance towards the Republic of Austria, adequate means of subsistence, while any financial difficulties an applicant encounters must not be the fault of the applicant. Finally, the 1998 amendment introduced the requirement to prove German language skills in accordance with the applicant's living situation, as well as other integration requirements in the case of facilitated procedures. Renunciation of the applicant's former nationality is an absolute requirement for naturalisation. However, dual nationality may be tolerated if renunciation is not possible. Persons who were former Austrian citizens before 1945 and forced to flee Austria before 9th May 1945 may regain their citizenship back under less stringent terms.

Applications must be submitted to the citizenship department in the respective provincial government of applicant's primary residence or in case the applicant lives abroad, to the respective Austrian embassy or consulate.

If an alien who has settled in the federal territory acquires nationality otherwise than by descent, the authority gives notification thereof to the

aliens police authority in whose area of administration the principal residence of the applicant concerned is situated in order to de-register him or her from the ZFI. Such notifications contain name, sex, date and place of birth, address and previous citizenship of the person concerned and shall indicate the date when nationality was acquired.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics on acquisition of citizenship produced by ÖSTAT are based on the naturalisation database. Statistical data are published on an annual basis, but in principle are available more frequently. Published statistics on naturalisation normally refer to both naturalisations of persons resident in Austria and the number of naturalised persons residing abroad as well as the overall total. From a demographic perspective, the figure of naturalisations of persons resident in Austria is preferable to the overall total, since only the naturalisation of foreigners residing in Austria is relevant for demographic accounts. In principle, former citizenships are exhaustively recorded. Austrian Naturalisation Statistics not only record a series of demographic characteristics (sex, age, country of birth) but also comprehensively record the different grounds on which citizenship was granted.

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Extract from Country Report

Poland

Dorota Kupiszewska, Beata Nowok and Marek Kupiszewski

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The registration of changes in citizenship takes place in the Central register of data on acquisition and renunciation of Polish citizenship under the responsibility of the Office for Repatriation and Aliens (Department for Repatriation and Citizenship). Currently it is a separate register but it will be incorporated in future into the *System Pobytu*.

Acquisition of Polish citizenship is governed by the Constitution of the Republic of Poland and the Citizenship Act of 1962 with later amendments. According to the overall provisions, there are four ways of acquiring Polish citizenship: by birth, by naturalisation, by declaration and by repatriation.

As regards naturalisation, a foreigner may apply for Polish citizenship after legally recognised permanent residence in Poland of at least five years. However, in particularly justified cases, which are not specified in the Act, a foreigner may acquire Polish citizenship without fulfilling this prerequisite. Since May 2004 this special procedure may be applied to EEA citizens with a temporary or permanent residence permit. The fact that a Polish citizen has also foreign citizenship has no legal implications in Poland (according to the 2002 Census 444,930 Polish citizens have dual citizenship). Recent changes also introduced the reinstatement of citizenship for those who were forced to renounce Polish citizenship.

A simplified way of acquiring Polish citizenship is applicable to specifically listed categories of foreigners, e.g. foreigners who have been married to a Polish citizen for at least three years and who have permanent residence permits.

A specific act defines the rules of acquiring Polish citizenship by way of repatriation (simply crossing the border of Poland) and the rights and procedures of granting aid to persons of Polish extraction and their families living beyond Poland's borders (mostly in the countries of the Asian part of the former USSR) for involuntary reasons such as deportations, exile, ethnically-motivated forms of persecution or administrative changes in the geopolitical scene.

Procedures for granting Polish citizenship or for consenting to its renunciation are exactly the same. The President of the Republic of Poland grants Polish citizenship and approves its renunciation. Applications should be submitted to the appropriate Voivode or Consul. These applications are thereafter transferred to the President of the Office for Repatriation and Aliens before to be considered by the President of the Republic of Poland for final decision.

Information about positive decisions on granting Polish citizenship is sent to the concerned Voivode or Consul, who in turn sends the information to the Office for Repatriation and Aliens.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The authority responsible for statistical data on acquisition of citizenship is the Department for Repatriation and Citizenship of the Office for Repatriation and Aliens. Data are produced on an annual basis. They are derived from the Central register of data on acquisition and renunciation of Polish citizenship.

Statistics cover acquisitions of citizenship by naturalisation and declaration. Data on repatriation are presented separately. However, until 2000, inclusive statistical data cover decisions taken by the President of the Republic of Poland on the granting of citizenship. Therefore, only acquisitions by naturalisation are included. Statistics for 2001 cover acquisitions by declaration which took place from the second half of the year when the Central register of data on acquisition and renunciation of Polish citizenship was introduced.

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Extract from Country Report

Portugal

Yves Breem and Xavier Thierry

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

There are two databases on acquisition of citizenship in Portugal:

- The Database INE/SEF which covers acquisition of citizenship for aliens with residence permits
- The database of the Department of Naturalisation within the SEF, which includes only data about naturalisations.

Entitlement to Portuguese citizenship is by birth, descent, registration (expression of willingness) and by naturalisation. Acquisition by birth is possible when a child is born to Portuguese parents or foreign parents who have been legally resident in the country for at least six years, in the case of citizens of countries whose official language is Portuguese or for ten years in other cases. Acquisition by registration is possible for spouses who have been married to a Portuguese citizen for at least three years and for children of Portuguese citizens.

Foreign adults may ask for naturalisation if they have been legally resident in Portugal for at least six or ten years as mentioned above. Applicants must be eighteen years of age and must be able to demonstrate knowledge of the Portuguese language, links to the national community, a 'civic attitude' and the possession of adequate income. Some minor requirements may apply to former Portuguese citizens, persons of Portuguese origin, members of Portuguese communities abroad and foreign nationals who have performed or will be requested to carry out special tasks on behalf of the Portuguese State.

SEF sends its decision to the *Conservatória dos Registos Centrais*, which makes the naturalisation official. The Lisbon Court of Appeal is competent to hear an appeal against a negative decision.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

All types of acquisitions of citizenship are included the statistics. Specifically, withdrawals of residence permits due to acquisition of citizenship are included in the Database INE/SEF, sent each month to INE. The figures are published annually.

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Extract from Country Report

Slovenia

Dorota Kupiszewska and Beata Nowok

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The registration of changes in citizenship takes place in the Central Register on Citizenship (*Centralna evidenca o državljanstvu*), under the responsibility of the Department of Naturalisation within the Ministry of the Interior.

According to the Citizenship Act of 1991, as amended, Slovenian citizenship may be acquired in four ways: *ius sanguinis* by birth or after birth by registration, *ius soli* by birth, by naturalisation and by international agreement, in the event of state borders changes. As regards naturalisation, there are three types of this mode of acquisition of citizenship:

- regular naturalisation - requires at least eighteen years of age, ten years period of residence in the country, regulated alien status, assured residence and means of support, working knowledge of the Slovenian language. The applicant should not have been sentenced for a criminal offence for a prison sentence longer than one year. In addition, they must submit a proof of release from their original citizenship or a guarantee that they will obtain release if granted Slovenian citizenship;
- facilitated naturalisation - applies to some categories of persons such as descendants of Slovenian expatriates up to the third generation, foreign spouses of Slovenian citizens and minors (one year residence condition), refugees or persons without a citizenship (five years residence condition). Most of the persons under these categories may also retain their original citizenship (sometimes on the basis of an important justification). As a transitional measure, a facilitated naturalisation was allowed to citizens of the other former Yugoslav republics who had permanent residence in Slovenia on 23rd December, 1990, day of the Plebiscite of the independence and autonomy of the Republic of Slovenia and since that date had permanently lived in the country. The deadline for submitting such applications expired on 20th November 2003;

- exceptional naturalisation - may be granted if a person offers economic, scientific, cultural, national or other similar benefits to the Republic of Slovenia, provided that the foreigner has lived uninterruptedly in the country for at least one year prior to the application, has regulated alien status and fulfils other general conditions.

In the case of naturalisation, foreigners must submit their application to the administrative unit in which they have permanent or temporary residence (directly to the Ministry of the Interior or the diplomatic representative abroad in the case of exceptional naturalisation). The application must be accompanied by all the evidence providing proof of fulfilment of the conditions, identity, citizenship and civil status and payment of an administrative tax. The application is considered first in the administrative unit, but the Ministry of the Interior takes the final decision. In the case of exceptional naturalisation, the interest of the Republic of Slovenia must be ascertained by the Government on the basis of the opinion of the Ministry. Despite the fulfilment of the demanded conditions, a discretionary power on granting the Slovenian citizenship applies to all cases of naturalisations.

Acquisition or loss of citizenship are reported to the authority competent for keeping updated the CRP and to other authorities that are obliged to keep data on the citizenship of individuals in accordance with the respective laws.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The authority responsible for producing statistical data on acquisition of citizenship is the Citizenship Department of the Ministry of the Interior. The data are published annually based on the records on naturalisation and dismissal from Slovene citizenship.

All types of acquisition of citizenship by persons having formerly held the citizenship of another country or having been stateless are included (i.e. acquisition by naturalisation and by international agreement).

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Extract from Country Report

Slovak Republic

Dorota Kupiszewska and Beata Nowok

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The registration of acquisition of citizenship takes place in the Central register of acquisition and loss of citizenship of the Slovak Republic, under the responsibility of the Ministry of the Interior, Department for Nationality and Register.

Until 1968, only Czechoslovak citizenship was recognised. Following the establishment of the Federation, in 1969, all Czechoslovak citizens also had a republican nationality, as 'Czechs' or 'Slovaks' according to their birth place if born before 1st January 1954. For those born after this date, citizenship was determined by the status of their parents. The new citizenship law adopted in 1993 following the division of the former Czechoslovak federal state provided for the acquisition of Slovakian citizenship by determination (i.e. as continuity for the former 'Slovaks') and also simple declaration (for citizens of the Czech Republic, if the application was lodged up to 31st December 1993).

Slovak citizenship may be acquired by birth, adoption and naturalisation. As regards naturalisation, applicants usually have to demonstrate a five year continuous permanent stay in the country without criminal offences and knowledge of the Slovak language. In general an applicant is not obliged to abandon their present citizenship. There are exceptions to these rules and special terms of granting Slovak citizenship could be applied in the following cases to:

- a person who has entered into a marriage with a Slovak citizen;
- a person with the status of foreign Slovak;
- for special reasons, i.e. to an individual who has done something of great benefit to the Slovak Republic in the field of economy, science, culture or technology.

Citizenship of the Slovak Republic is granted by the Ministry of the Interior of the Slovak Republic. The application for granting Slovak citizenship is lodged at the district office. The district office has to report the positive decisions to the municipality and to the district office of the Border

and Aliens Police. After receiving the positive decision the individual has to register the change of citizenship in the municipality and this information is transferred to the REGOB.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics on acquisition of citizenship are under the responsibility of the Ministry of the Interior. The data come from the Central register of acquisition and loss of citizenship of the Slovak Republic. They are sent to the SUSR in a paper form. The statistics are published on an annual basis. The statistical data on acquisition of citizenship cover only acquisitions by naturalisation.

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Extract from Country Report

Finland

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The Directorate of Immigration of the Ministry of the Interior is responsible for processing applications for Finnish citizenship. Information on applicants and decisions to grant Finnish citizenship are recorded in the Register of Aliens.

A Finnish citizen is a person who by birth, or later by adoption, through parents' marriage, by declaration or following personal application, has received Finnish citizenship. The right to acquire Finnish citizenship by declaration applies only to certain groups of people such as children of Finnish citizens, former Finnish citizens or Nordic citizens. Until 31st May 2008 a former Finnish citizen who has lost his/her Finnish citizenship as well as persons with a parent who is a Finnish citizen or former Finnish citizen may respectively regain or acquire the Finnish citizenship by declaration.

For all applications, the requirements include a period of residence of six continuous or eight accumulated years, moral integrity, capacity of livelihood and evidence of Finnish or Swedish language skills. Several exceptions are also foreseen (e.g. for refugees, involuntary stateless persons and spouses of Finnish citizens and for Nordic citizens).

The Citizenship Act, which came into force on 1st June 2003, accepts multiple citizenships to an increasing extent. The decisions taken by the Directorate of Immigration can be appealed to an Administrative Court and, at next level, by the Supreme Administrative Court. Even the Directorate of Immigration may appeal to the decisions made by an Administrative Court.

There exists a reciprocal obligation between the national authorities to notify each other the decisions taken by each of them. Therefore, for instance, the Directorate of Immigration or the diplomatic missions abroad have to notify the competent authorities about decisions on attribution, acquisition or lost of the Finnish citizenship. This information will be recorded in the PIS.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

Statistics Finland produces statistics on acquisitions of citizenship. The source of this information is the changes of citizenship recorded in the PIS. The Register of Aliens is not used for this purpose and the figures published annually by Statistics Finland concern both attributions and acquisitions of the Finnish citizenship whatever the reason or procedure for becoming a Finnish citizen. Only newborn children receiving Finnish citizenship at birth are not included.

Data on changes of citizenship are collected weekly with all other demographic events and refer to daily events. Statistical data are produced and are available on an annual base. All variables requested by the EU Regulation are available.

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Extract from Country Report

Sweden

Anne Herm

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The Migration Board also has overall responsibility for handling matters of acquisition and loss of citizenship. Information on applications processed by the Migration Board and related decisions are recorded in the CAD. The Migration Board does not, however, process all changes of citizenship. The County Administrative Boards (*Länsstyrelsen*) process citizenship applications from citizens of other Nordic countries and thereafter transfer data directly to the PRS on citizenship granted. The Migration Board also reports changes of citizenships to the PRS. As the CAD excludes data on change of citizenship of citizens of other Nordic countries, the PRS includes more exhaustive data on acquisition of citizenship. A record of previous citizenship is kept in the archive of the PRS. If a person has dual citizenship (including Swedish, as allowed by the Citizenship Act, which came into force on 1st July 2001), only the Swedish citizenship is recorded in the PRS.

The Swedish Citizenship Act is based upon the principle of descent. A Swedish citizen is a person who by birth, or later by adoption, marriage of the parents (legitimation), application (naturalisation) or simply by notification (automatic attribution) has received Swedish citizenship. The right to acquire Swedish citizenship by notification applies only to certain groups of people such as children of non-Swedish mothers, persons of between 18 and 20 years of age and citizens of Nordic countries.

Requirements for acquisition of citizenship by naturalisation, include possession of a permanent residence permit and settlement in Sweden for at least five years. These conditions do not apply to citizens of Nordic and EEA Member States, who must have lived in Sweden for at least two years, or to refugees of at least four years.

If an application is rejected or notification is unfounded, the decisions can be appealed against to the Aliens Appeals Board (*Utlänningsnämnden*), in the case of naturalisation and to the County Administrative Court in the case of notification of Swedish citizenship. The County Administrative Courts and the Aliens Appeals Board report changes of citizenships to the PRS.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

As explained earlier, the Migration Board and the County Administrative Board handle acquisition of citizenship and SCB is responsible for producing statistics on acquisition of citizenship. The source for that information is the notification of changes of citizenship recorded in the PRS which is transferred on a daily basis to SCB. Accordingly there is no direct data transfer on changes of citizenship from the CAD to SCB.

All persons who obtain or renounce Swedish citizenship during the statistical reference period are included in statistics, whatever the motive and the procedure of acquisition.

Statistical data are produced and are available on a monthly, quarterly and annual base. All variables requested by the EU Regulation are available. Some discrepancies in the data available in the international databases may be found and are explained by the fact that neither the acquisition of citizenship of citizens of Nordic countries, nor all automatic attributions of the citizenship are included in both of the databases. Only statistics based on the data on notifications transferred by the PRS cover all daily changes of the citizenship regardless of the previous citizenship of the individual or the mode of acquisition.

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Extract from Country Report

United Kingdom

Nicolas Perrin and Michel Poulain

A. Administrative sources and procedures

A.5. Registration of acquisition of citizenship

The main source on acquisition of citizenship is another specific subset of the CID. Citizenship or nationality is regulated by the British Nationality Act of 1981, which entered into force on 1st January 1983. Following further acts, the 'British Overseas Territories Act 200' and the 'Nationality, Immigration and Asylum Act 2002', three separate citizenships exist:

- British citizenship, for those citizens of the UK and Colonies who on 31st December 1982, had the right of abode in the UK;
- British overseas territories citizenship, for those connected with the remaining UK dependent territories;
- British overseas citizenship, for those who had neither the right of abode in the UK nor a connection with a dependency.

In addition, there are three smaller categories of persons, which mostly derive from birth in the former colonies and will disappear with the passing of generations:

- British subjects;
- British protected persons;
- British nationals (overseas).

Only British citizens and certain British subjects (those having a right of abode in UK) as well as British overseas territories citizens connected with Gibraltar are 'UK nationals' for the purposes of the European Community. Dual citizenship is recognised.

Acquisition of citizenship is possible for the following reasons:

- by birth:
 - any child born in the UK or a British overseas territory to a British citizen or a parent settled there under immigration law;
 - any child born in the UK or a British overseas territory to unknown parents;
 - any child born outside the UK, to a British citizen otherwise than by descent or a British citizen in Crown, Designated or European Community service;

- by descent:
 - any child born to either British parent if the child is legitimate or to the mother only if the child is illegitimate;
 - any child legitimated by the subsequent marriage of the parents;
- by adoption:
 - any child adopted by a British citizen;
- by naturalisation:
 - any person applying for British citizenship, provided that he/she legally has resided for five years in the UK (including continuously during the last year), is aged 18 or over and not of unsound mind, has no criminal record, intends to adopt domicile in the country and has 'sufficient knowledge' of British, Welsh or Scottish Gaelic. Three years' residence and no language requirements or intention to live in the country apply to the spouse of a British citizen. It is anticipated that a requirement will be introduced to demonstrate sufficient knowledge about life in the UK and language requirements for spouses. The same rights may apply to same-sex couples;
- by registration:
 - persons belonging one of the categories above, if they have resided in the UK lawfully for five years, of which the twelve months preceding the application must be continuous;
 - the same persons if they have served Crown;
 - British overseas territory citizens through a connection with Gibraltar;
 - persons who in the past had to renounce British citizenship or the co-called citizenship of UK and Colonies in order to acquire or retain some other citizenship;
 - persons who would otherwise be stateless;
 - wives and widows of soldiers who fought in specific conflicts.

Applications for naturalisation must be submitted to the Immigration and Nationality Directorate. British citizenship is granted by the Secretary of State for Home Department. Despite fulfilment of the above requirements, the Secretary of State may always ask for other specific conditions and refuse to issue the 'certificate of naturalisation'.

B. Producing statistics requested by the EU Regulation

B.5. Statistics on acquisitions of citizenship

The main source on acquisition of citizenship is a specific subset of the CID. The RDS of the Immigration and Nationality Directorate (Home Office) is responsible for analysis of these data. Statistics on persons granted British citizenship are published annually and are available in the Eurostat database.

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