Pathways to citizenship for third-country nationals in the EU

Findings of the EMN Study

Norma Rose, EMN Service Provider (ICF)

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1. Introduction: aim, scope and context of the study

Aim of the study

To provide a **comparative overview** of the **frameworks** in place across the EU Member States for **new migrants** from third-countries to **access national citizenship**, through naturalisation

Scope of the study

**EU (25 Member States)**
UK incl. as still a MS at time of development of this report

2014 – 2019 (+COVID-19)
2. Legal and policy overview on the acquisition of citizenship

**Legal framework applicable**
- National competence with due regard to EU law
- MS Constitutions + National acts

**Evolution and recent changes**
- Changes driven by political considerations > more liberal v. more restrictive approaches
  - More liberal: better integration, societal changes, historical considerations, special ties
  - More restrictive: social integration, public security
2. Legal and policy overview on the acquisition of citizenship

Conferral of citizenship – state of play

- 656,000 TCN granted citizenship of an EU-28 MS in 2018
  - Decrease of 2.2%
  - 79% of total citizenship acquisitions

Number of third-country nationals having acquired the citizenship of an EU Member State, EU-28, 2014–18

(1 000)

Source: Eurostat (online data code: migr_acq)
Top five countries of previous third-country citizenship (2014-2018)

- **Albania**
  - 2014: 41,002
  - 2015: 48,486
  - 2016: 67,481
  - 2017: 58,848
  - 2018: 48,013

- **Ukraine**
  - 2015: 19,105
  - 2016: 23,976

- **Russia**
  - 2014: 19,484
  - 2017: 20,190

- **Brazil**
  - 2017: 21,592
  - 2018: 24,163

- **Morocco**
  - 2014: 92,699
  - 2015: 86,130
  - 2016: 101,295
  - 2017: 67,846
  - 2018: 67,510

- **Turkey**
  - 2014: 37,448
  - 2015: 35,033
  - 2016: 32,851
  - 2017: 29,810
  - 2018: 30,213

Source: Eurostat migr_acq (based on EU-28 data)
2. Legal and policy overview on the acquisition of citizenship

▪ **Acquisition related rights and duties**
  (applicable to new migrants through naturalisation but also via birth-right)
  - Rights: vote, stand for elections, access to professions, social rights, consular assistance
  - Duties: vote, military service, participation in judicial system/ national defence

▪ **Acquisition of citizenship by birth**
  *Ius sanguinis/ Ius soli* dichotomy

▪ **Acquisition of citizenship by naturalisation**
  - Ordinary/ special naturalisation
  - Grounds: merit, child to nationals, cultural heritage, marriage, statelessness,
3. Conditions and requirements

- Acquisition of citizenship based on a minimum period of residence
  - 3-10 years, depending on the Member State

- Possibility to interrupt the minimum period of residence
  - Short absences permitted, e.g. for holidays, family visits
  - Permitted periods of absences vary from 6-18 months (CY and EE do not have a limitation)

- Recognition of residence
  - Registration in the country of application
  - Period of residence is usually based on effective residence, i.e. physical presence on the territory

- Accepted prior residence status
  - Valid legal residence status
  - Temporary residence permit recognised in all but eight Member States
Proof of period of residence – admissible documents

- Ex officio check of registers (e.g. population, foreigner registers, police)
- Residence permits
- Administrative asylum decisions
- Rental contracts, bills (rent, telecommunication, electricity)
- Educational certificates/ attendance records or employment certificates/ pay slips
- Tax
- Insurance data
- Passeport/ ID
- Economic activity, financial activity

Source: EMN NCPs’ reports
3. Conditions and requirements

- **Language**
  - Knowledge of the official language(s) a requirement in 22 Member States, but exemptions apply
  - Level of knowledge required varies between A2 and B1
  - Language certificate usually accepted as proof
  - Six Member States require applicants to take a specific language test

- **Citizenship/integration test**
  - Citizenship or integration test required in 13 Member States
  - Different forms: written exams, interview, course
  - Belgium and Slovak Republic verify the applicant’s level of ‘social integration’

- **Other conditions**
  - Good conduct and public order requirements apply in all Member States (e.g. absence of a criminal record, payment of taxes and debts)
  - Commitment to values (legally or symbolically) required in 15 Member States
  - Pledge of formal allegiance required in 16 Member States
  - Economic or financial situation or standard of living taken into account in 14 Member States
4. Procedural aspects for the acquisition of citizenship

**Procedure**
- Horizontal approach v. bottom-up approach
- Submission: in most Member States, local authorities involved
- Checks of completeness and validity: same authorities involved
- Decision making: various ministries/authorities in charge
- Final decision: President/responsible minister > appeal not always possible
  > BE and DE: the applicant has the right to be naturalised if all legal requirements are fulfilled.
- In some Member States: citizenship ceremony / oath of allegiance to close the process

**Accessibility and efficiency**
- Digitalisation (5 Member States using it, 6 Member States working on it)
- Time-period for processing applications (6-48 months)
- Fast-track procedures: 8 Member States for specific reasons
- Costs (no fee - €1,500 depending on Member States)
  > costs may include fees other than just the application fee
4. Procedural aspects for the acquisition of citizenship

- Required documents for naturalisation

Source: EMN NCPs' reports
4. Procedural aspects for the acquisition of citizenship

- **Support provided during application process**
  - Helpdesk/ personal consultations/ handbooks/ information days (not necessarily targeting TCNs)
  - In general: MS do not organise, support or finance integration measures
    (except language courses in CZ, EE, ES, FR, IT, LU, LV)

- **Measures adopted in the light of the COVID-19 pandemic**
  - Submission of applications and decision process (14 MS no specific measures)
  - Appeal proceedings (14 MS cancelled hearings, 8 continue online)
5. Dual citizenship

- Benefits and challenges of dual citizenship
- Renunciation of previous citizenship
  - No renunciation requirements in 17 MS but in AT, BG, DE, EE, ES, HR, LV, LT, NL
  - Maintain connection with home country / security issue and authority checks

**Member States’ Approaches to Dual Citizenship**

![Map showing allowed and not allowed regions for dual citizenship]

Source: EMN NCPs’ reports
6. Citizenship and integration

- Conferral of citizenship may facilitate
  - Health
  - Education
  - Labour market opportunities for integration

- Citizenship as a culmination of integration process
  - AT, BE, CZ, DE, ES, FR, IT, PL, SK

- Citizenship is key to facilitate integration
  - FI, IE, LV, PT

- Citizenship is no guarantee against discrimination in the labour market
7. Conclusions and lessons learned

- Citizenship = legal bond between an individual and their State
  - Evolution of national policies and decline of citizenship conferral
  - Harmonised procedures across Member States but variety of specific conditions
  - Dual citizenship as main principle
  - Citizenship as an outcome of integration vs citizenship as a driver for better integration
Thank you!

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