



Pathways to citizenship for third-country nationals in the EU

Findings of the EMN Study

Norma Rose, EMN Service Provider (ICF)

27 October 2020

Outline

1. Introduction: aim, scope and context of the study
2. Legal and policy overview on the acquisition of citizenship
3. Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation
4. Procedural aspects for the acquisition of citizenship in the Member States
5. Dual citizenship
6. Citizenship and integration
7. Conclusions and lessons learned

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

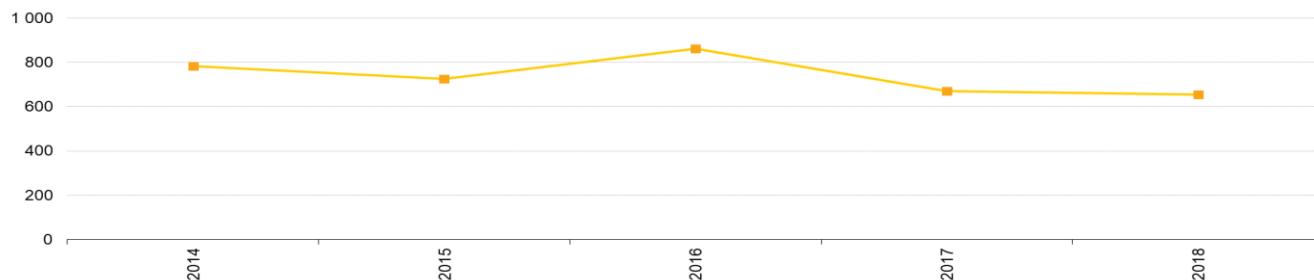
2. Legal and policy overview on the acquisition of citizenship



Conferral of citizenship – state of play

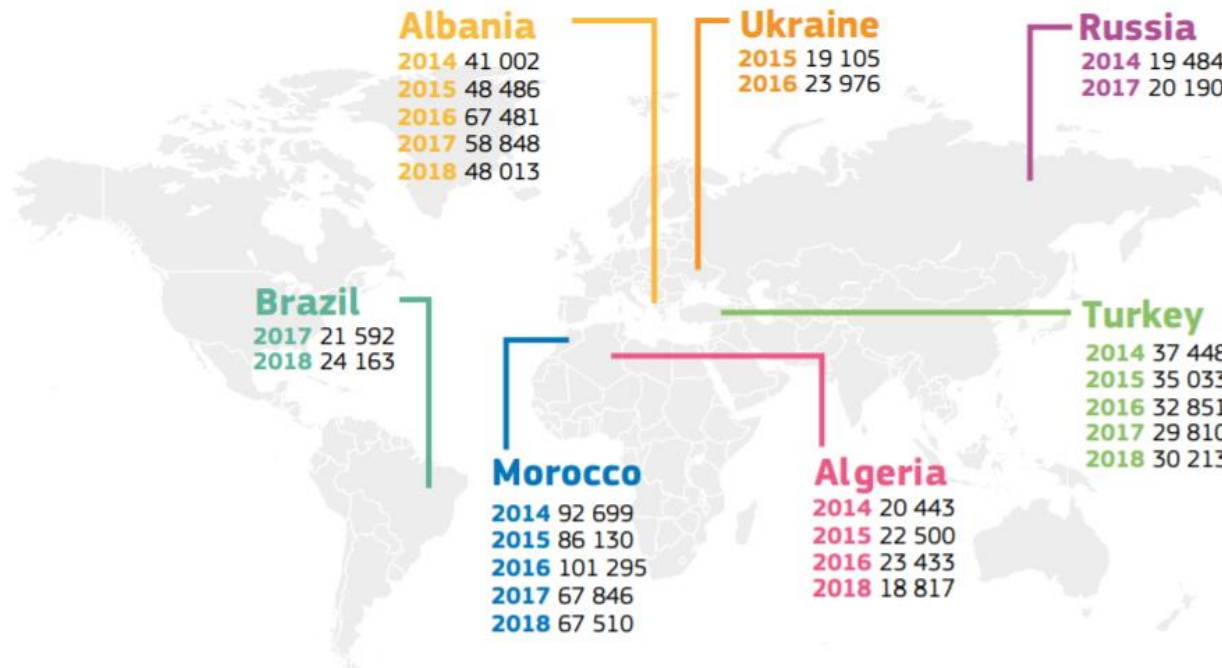
- 656,000 TCN granted citizenship of an EU-28 MS in 2018
 - Decrease of 2.2%
 - 79% of total citizenship acquisitions

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)



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**

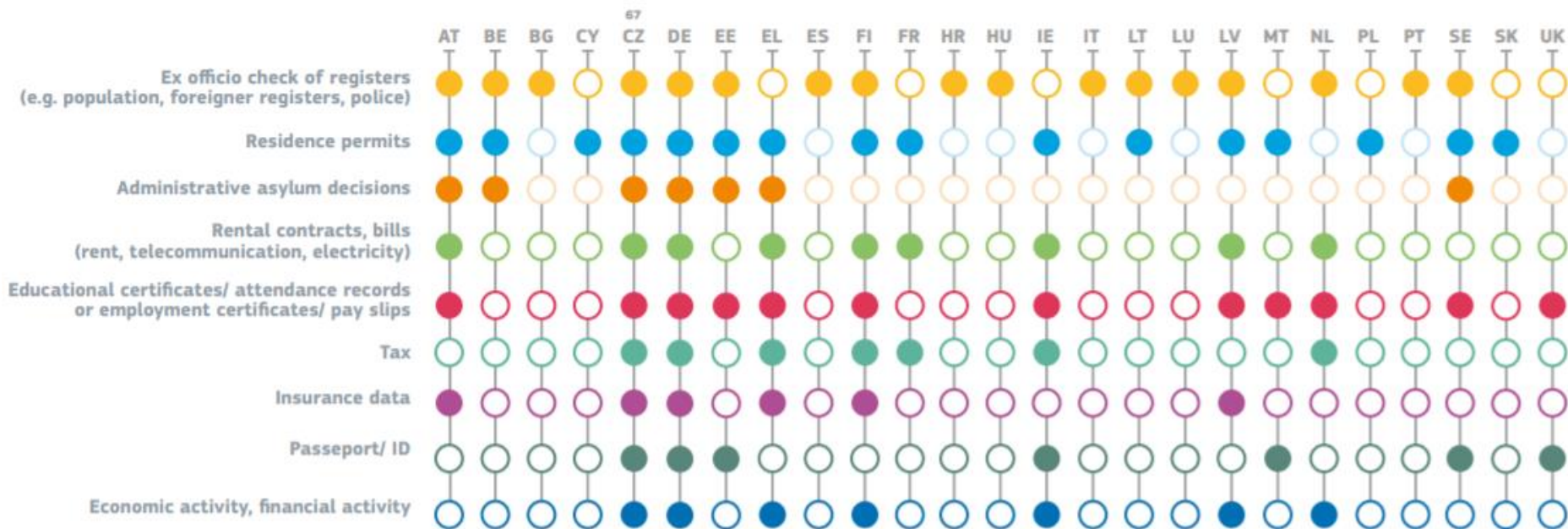
- Registration in the country of application
- Period of residence is usually based on effective residence, i.e. physical presence on the territory



- **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




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



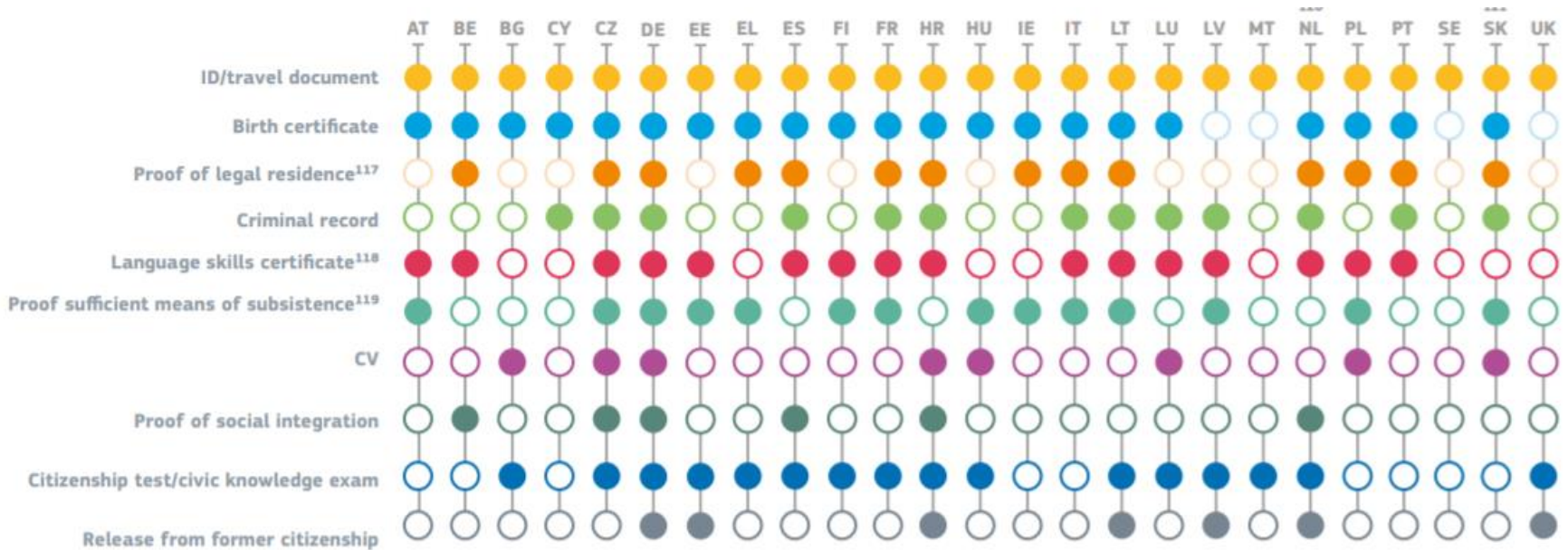
■ Accessibility and efficiency

- 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

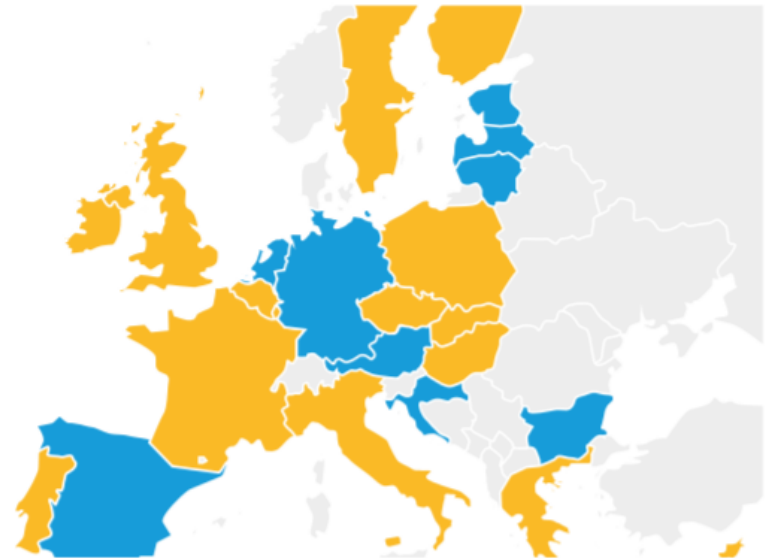
- Submission of applications and decision process (14 MS no specific measures)
- Appeal proceedings (14 MS cancelled hearings, 8 continue online)



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





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!

EMN Publications available on the EMN Website:

www.emn.europa.eu

For regular updates on EMN activities, follow the EMN on Twitter:

@EMNMigration

Contact: emn@icf.com