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NATURALISATION POLICIES IN EUROPE: EXPLORING PATTERNS OF INCLUSION AND EXCLUSION

Sara Wallace Goodman

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European University Institute, Florence
Robert Schuman Centre for Advanced Studies
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Sara Wallace Goodman

Naturalisation is the most volatile and contentious aspect of citizenship policy in the immigrant-receiving states of Europe. It is the primary route by which immigrants obtain national citizenship and the material and procedural conditions that comprise this journey can make acquisition either a liberal, relatively easy progression from settlement to citizenship, or a restrictive, onerous process full of impediments that may not lead to citizenship at all. Due to the explicit purpose of naturalisation – to include outsiders into the national political community – immigration politics can play an influential role in either producing or preventing citizenship policy change. Therefore, a clear picture of the requirements and process of naturalisation is integral to understanding not only the journey of citizenship for the immigrant but also the attitudes towards immigration that receiving states hold.

This report aims to provide a comprehensive descriptive snapshot of naturalisation requirements for the bloc of countries in and adjacent to the European Union, as well as identify comparative trends and patterns in naturalisation policy. A number of previous studies have categorised and identified patterns of naturalisation across European states, acknowledging especially the previous accumulation of acquisition data of the 'EU-15' by the NATAC project (Bauböck et al. 2006). This report builds and moves beyond existing work in a number of directions. First, it examines citizenship policies and practices in an expanded set of countries. The EUDO-Citizenship project currently comprises 33 European countries, including the EU-27, Croatia, Iceland, Moldova, Norway, Switzerland, and Turkey.[1] This larger sample of countries provides a wide-angle lens for identifying not only trends in a few selected countries but also on the regional level. Second, in contrast to existing comparative work that categorises the relative ease or difficulty of acquisition based on a limited sample of material conditions, such as residency periods, renunciation requirements, and language tests, this report takes into account expanded dimensions of the naturalisation process, namely procedural requirements, including waiting time after application, administrative fees, and the right to appeal against negative decisions. Relative inclusivity and exclusivity are determined by a complex configuration of policy choices. Third, and finally, this report provides a comprehensive view of the criteria of eligibility for naturalisation. The study of citizenship and categorisation of policies of naturalisation is typically organised around residence-based ordinary naturalisation. Since naturalisation is, however, a procedure for a number of categories of immigrants, including refugees, spouses and children of citizens, this comparative report enhances not only the depth of analysis (material and procedure conditions) but also the breadth of naturalising populations covered.

By increasing the sample of countries, incorporating a dynamic view of the process of naturalisation, and taking a wide view of the categories of naturalising immigrants, this report contributes a unique and complete perspective on naturalisation practices, identifying policies and practices that both resemble each other and diverge across the European landscape. Given the significant changes made to citizenship policy in just the first decade of the twenty-first

[1] The full list of EUDO-Citizenship countries is: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, and the United Kingdom.

century, particularly in terms of membership requirements, a new and substantive view of naturalisation is warranted.

This report is structured into two parts. Part 1 presents detailed descriptions and comparisons of basic residence-based acquisition routes of ordinary naturalisation (mode A06) across the 33 countries. A substantial portion of this report is dedicated to this mode as it is the most prevalent migrant route to citizenship and the baseline from which all other modes of naturalisation are derived. We begin with an in-depth examination of the material conditions of ordinary naturalisation, including residency, renunciation and membership requirements (e.g. language, country knowledge, oaths of loyalty and ceremonies). We then take a comparative view of procedural conditions for this mode of naturalisation, describing the barriers and facilitators to the process itself. This part of the report concludes by highlighting a number of patterns across these modes, with specific attention to continued variation.

Part 2 turns toward seven other modes of acquisition that make use of naturalisation: residence-based socialisation (mode A07); family-based acquisition routes for spouses through transfer (mode A08) and extension (mode A13) and for children through filial transfer (mode A09) and extension (mode A14); and, finally, acquisition of citizenship for refugees (mode A22) and stateless persons with unclear citizenship (mode A23). We present major points of similarity and difference to ordinary naturalisation (mode A06) and identify within-mode patterns and trends. Both Parts 1 and 2 include a number of comparative tables on the aforementioned modes of acquisition.[2] There are other categories of acquisition through naturalisation, particularly modes based on cultural affinity or other special connections (A19, A21) and those based on special merit or achievements (A24, A25, A26). However, the focus of this comparative study is naturalisation policies towards persons with no particular connections to the receiving state; therefore these aforementioned modes are not included.

The conclusion takes a step back from this detailed view to examine larger changes over time and consider general trends of inclusiveness and exclusiveness. It argues that in going beyond inherent conceptual dichotomies of citizenship and towards a complex configurative view, we see a diversity of practices across Europe but can still identify patterns and policy trends.

What is naturalisation and why does it matter?

At a theoretical level, naturalisation is understood as a transformative process whereby an immigrant, or more generally someone outside of the national political community, 'becomes natural' by becoming a full member of that community through citizenship acquisition. However, 'naturalisation' is a paradoxical expression; there is nothing 'natural' about this process of membership acquisition. This contradiction is immediately visible when adopting a legal perspective, where the process of naturalisation is not natural at all but requires legal regulation. In this context, naturalisation is the process of acquisition where a person *applies* for citizenship to the state represented by relevant public authorities. This emphasis on the aspiring citizen's process of application is key in distinguishing naturalisation from other

[2] Data for these tables draw on detailed questionnaires and country reports submitted by EUDO Citizenship country experts, EUDO Citizenship News (all available at http://eudo-citizenship.eu/), as well as personal communication with country experts and independent research.

procedures.[3] The target persons of naturalisation provisions cannot just declare themselves citizens or automatically acquire citizenship; their application is subject to various conditions and evaluations, the successful completion of which is positively recognised by public authorities that confer citizenship. Acquisition through naturalisation can either be a legal entitlement for immigrants, where public authorities must grant citizenship to the applicant if and when the relevant conditions specified by law have been acknowledged as being successfully completed, or as a discretionary act. Discretionary naturalisation is obviously the more precarious and contingent of the two types, where even upon successful completion of relevant conditions public authorities reserve for themselves the right to deny citizenship to an applicant. In both cases, naturalisation is conditional in the sense that it requires an individual action by the applicant as well as a positive response by public authorities.

Naturalisation is a process that – with the exception of public referenda in a few Swiss municipalities – does not include a formal role for the wider public. Yet in many instances naturalisation has gained a degree of visibility that renders this otherwise individual process nationally important. Why? Naturalisation draws a direct connection between issues of citizenship and immigration. Unlike automatic or declarative procedures for acquisition, which *implicitly* acknowledge a degree of pre-established or sustained connection of newcomers to the national political community, naturalisation requires this connection to be forged *explicitly*. For outsiders to become insiders, to employ Rogers Brubaker's (1992: 29-31) conception of citizenship, naturalisation requires the defining and fulfilling of certain conditions to justify their inclusion.

While automatic acquisition buttresses the national community through quasi-natural recognition and the transfer of citizenship across generations, naturalisation represents a greater challenge because it requires making explicit otherwise implicit boundaries of collective identity. Naturalisation allows immigrants to not only enjoy formal rights and protections through the legal status of citizenship, but to become members of a national political community through citizenship status. Therefore, it holds strong significance for both the receiving state and aspiring citizen (the immigrant applicant).

From the state's perspective, naturalisation involves a basic cost analysis of the number of people to protect and provide services for, given the availability of resources to do so. There are also historical and moral commitments in a number of European countries to admit new citizens. On a more symbolic level, though, outsiders challenge the limits of the 'imagined' contours of the national political community. It is an assumption – and never a foregone conclusion – that completing conditions of naturalisation transforms the applicant into a member or 'insider.' Yet as people push up against the malleable borders of membership, these boundaries move, if ever so slightly. Therefore, when there is disjuncture between immigration intake and integration outcomes, or between the expansion of the political community of citizens and problems of democracy, naturalisation finds itself in the crosshairs.

From an immigrant's perspective, naturalisation is still the key to full rights of citizenship. Citizenship matters for a number of reasons, including obtaining voting rights and

[3] Naturalisation can be distinguished from other procedures of acquisition, including automatic or *ex lege* procedures (where an applicant is not required to make an expression of intent) and declaration or option (a voluntary, facilitated procedure that, unlike naturalisation, only requires a unilateral act of oral or written declaration and is not conditional on a decision by relevant public authorities). Although acquisition by unilateral declaration or option is not included in our general definition of naturalisation, we sometimes include it in the comparative analysis, if the same categories of persons acquire citizenship by naturalisation in other countries.

other forms of political participation, access to certain job opportunities, free movement, rights to family unification, etc. Immigration is a fact of life in Europe, whether volume ebbs in times of economic crisis or flows during relative prosperity. Globalisation and further EU-level integration will continue to bring more people to more places. As long as national citizenship still matters, the question of *whether* and *how* potential citizens have access to it remains central to understanding the nature of the immigrant experience from entry to full membership.

Scholars have employed a number of frameworks to interpret citizenship policy given these shared but potentially conflicting objectives between the migrant and the state. In line with Brubaker's path-breaking work, access to citizenship has been conventionally described through concepts of nationhood (Brubaker 1992). On one end of the spectrum, ascription of citizenship at birth in the territory and actively promoted naturalisation, supported by low residency requirements, are considered 'civic.' On the other end, exclusively descent-based attribution at birth and discretionary naturalisation with high fees, high residence requirements or a complex process of acquisition are considered 'ethnic.' Brubaker therefore regards the legal regulation of citizenship as institutional reflections of national conceptions of citizenship or, in other words, as expressions of national belonging. Later work has presented alternatives to this nationhood framework by employing more membership-neutral terminology where policies are described not by invoking a sense of belonging or by their outcome, but by the process itself. Most notable has been Marc Morjé Howard's construction of a Citizenship Policy Index (CPI) to quantify and compare citizenship policies in the EU-15 (Howard 2009).[4] Replacing the civic-ethnic dichotomy with a liberal-restrictive one,[5] Howard aggregates scores for a number of policies, including the granting of citizenship through ius soli at birth, renunciation, years of residence and civic integration requirements. Countries with high CPI scores (Belgium, Sweden, the UK, France) are considered 'liberal' and inclusive, since naturalisation is comparatively easy and there are more opportunities for acquisition, while countries with low CPI scores (Austria, Denmark, Greece, Spain) are more exclusive in providing opportunities for citizenship. The differences between these two groups are readily apparent when looking at Germany's changing position. In 1992 Brubaker found the German case archetypal of the most restrictive and differentialist ethnic citizenship, while in 2009 Howard classifies it as 'medium restrictive'.[6]

Both approaches share a concern about the relative inclusiveness and exclusiveness of naturalisation. However, they are limited by either the inherent constraints of a dichotomised analytical framework (Brubaker) or by failing to fully examine the configuration of naturalisation policies within and across categories of applicants (Howard). Naturalisation is a complex process, defined by configurations of policies and requirements that include material *and* procedural conditions. This lacuna in earlier research creates a need for a detail-rich and updated comparative picture of the policies and processes of naturalisation.

Given the central importance of naturalisation for the immigrant and the immigrant-receiving state, and the inherent problems of existing dichotomised or mono-dimensional

[4] For other attempts at scoring or comparing the relative inclusion and exclusion of citizenship policies, see Koopmans et al. (2005), MIPEX (2007). Also see Waldrauch and Hofinger (1997), Weil (2001) and Money (1999) for early indices of citizenship policy.

[5] This language of 'liberal' and 'restrictive' citizenship models can be initially located, however, in Hansen and Weil's introduction to their edited volume, *Towards a European Nationality* (2001).

[6] CPI scores are between 0 (most restrictive) and 6 (most liberal). Germany's 2008 score is 2.04, which Howard classifies as 'medium' alongside Luxembourg (2.25). While below the median score, Germany is still categorised as less restrictive than Austria and Denmark (both with scores of 0), Greece (1), Spain (1.38) and Italy (1.5).

classifications, the following sections systematically examine different conditions of citizenship acquisition across categories of ordinary residence, socialisation-based residence, spousal transfer and extension, filial transfer and extension, and acquisition for recognised refugees and stateless persons. The common procedure of acquisition across these divergent categories of applicants is the process of naturalisation, but as subsequent discussion of patterns and trends will point out, there is much variation in this otherwise broad category. As this comparison will show, the degree of inclusiveness and exclusiveness of naturalisation depends on a number of policies and configurations and cannot easily be reduced to dyadic values.

Box 1. A note on technical terminology

The EUDO-Citizenship project uses certain technical terms and short labels in order to make provisions of citizenship laws easily comparable across countries. The most important terms used in this report are as follows: C1 refers to the country the citizenship of which is acquired or lost, C2 to a second country (or a group of such countries) for which special regulations exist and C3 to third countries for which no special regulations exist; TP is the target person acquiring or losing citizenship and RP is a reference person (e.g. a spouse or parent) whose status or actions are relevant for the acquisition or loss of citizenship by TP. For a comprehensive list of definitions of technical terms, you can consult the EUDO-Citizenship glossary at http://eudo-citizenship.eu/citizenship-glossary.

EUDO-Citizenship compares citizenship laws based on a typology of 27 modes of acquisition (A01–A27) and 15 modes of loss (L01–L15). This typology is described extensively at http://eudo-citizenship.eu/modes-of-acquisition and http://eudo-citizenship.eu/modes-of-loss.

1 Residence-based naturalisation (mode A06)

The first empirical section of this report examines general requirements – including material and procedural conditions – for the acquisition of citizenship through residence (mode A06). This mode is also described as 'ordinary naturalisation', because it outlines the general requirements of acquisition for outsiders. These requirements, like residency duration and language skills, are typically amended for narrower categories of applicants, such as refugees or spouses. Labelling this mode 'ordinary naturalisation' also reflects its status as the most prevalent form of acquisition after birth. However, it does not imply that this mode is always the most frequent type of naturalisation. In certain countries, a plurality or majority of applicants acquire citizenship through provisions targeting specific groups, such as spouses of citizens or descendants of former citizens.

All of the EUDO-Citizenship countries have a basic residence-based route of acquisition through entitlement or discretionary-based naturalisation. A limited number of countries have more than one procedure for residence-based acquisition. Austria is the only example with both types of naturalisation procedures: discretionary naturalisation for target persons with ten years of residence and naturalisation by legal entitlement after fifteen or thirty years of residence respectively (with no further conditions for the latter group). The Netherlands also has two sub-modes of ordinary naturalisation based on legal entitlement: upon five years of uninterrupted residence (reduced to two years if the target person's total residence adds up to ten years prior to the time of application) and a second route available upon fifteen years of residence if the applicant is 65 years of age or older. Finally, Belgium is

the only country where residence alone is sufficient for acquisition by declaration. Discretionary naturalisation is available after three years of residence, while a provision adopted in 2000 enables acquisition by declaration after seven years of uninterrupted residence. In all three cases, the former of the two procedures is considered 'ordinary' for our purposes, as provisions requiring extended periods of residence are not the typical routes of acquisition for newcomers.

Table 1[7] presents material conditions for residence-based acquisition (mode A06). Looking at the material conditions first allows us to understand under what conditions an ordinary immigrant becomes eligible for citizenship. It enumerates the following conditions related to naturalisation: residence, whether renunciation of a prior citizenship is required, conditions concerning the relevance of an applicant's criminal record and good character clauses, financial or employment situation, health, distinct or overlapping skill requirements of knowledge of a national language, history, constitution or social customs, generally vague requirements of integration or assimilation and, finally, oaths, pledges, or demonstration of fidelity and commitment to national values. Excluded from this table are minor or narrower categories, such as minimum age, which in all cases is majority, or whether an applicant needs to be physically present in C1 at the time of application.

1.1 Residence

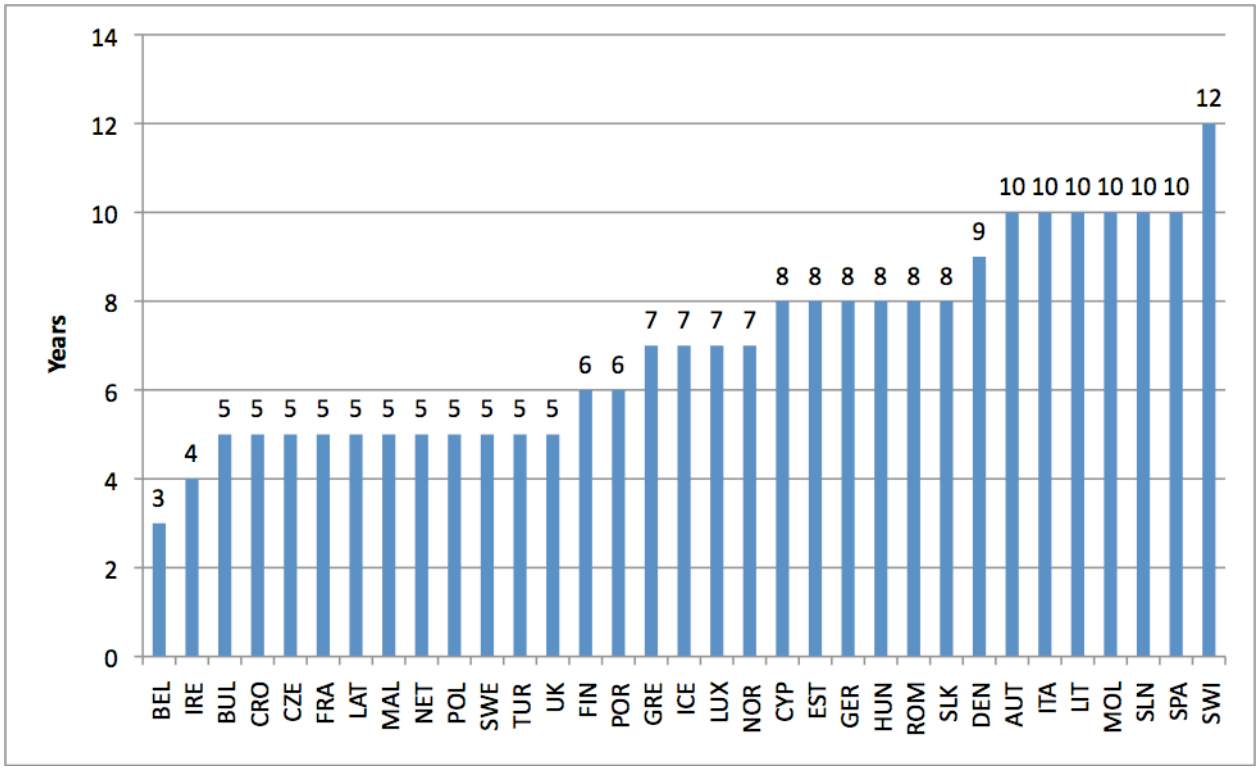
All countries have a minimum residence requirement for acquisition of citizenship through ordinary naturalisation. However, there is significant variation with respect to the duration of that residency period, the extent to which interruptions are tolerated and whether the applicant needs to hold a certain residence status or permit at the time of application or even throughout the required residence period. The required duration of residence varies enormously between the countries, ranging from three (Belgium)[8] to twelve (Switzerland). Since these additional conditions attached to the residence requirement for naturalisation are hard to compare across countries, Figure 1 shows only the general requirement of overall years of residence.

A number of patterns are evident. Among classic or traditionally liberal citizenship regimes, we still find relatively short residence requirements (France, Netherlands, UK). Likewise, traditionally restrictive regimes (Germany, Denmark, Austria) and traditional emigration countries or new receiving states of immigration (Greece, Italy, Spain) require comparatively long residence. However, the chart also shows that the shortest requirements exist in Belgium and Ireland, which are not usually classified as traditional liberal immigration countries. Furthermore, including the 2004 and 2007 accession states of the European Union complicates this bifurcation. We see a fairly even distribution between high (Estonia, Hungary, Lithuania, Romania, Slovakia, Slovenia) and low (Bulgaria, Czech Republic, Latvia, Malta, Poland) periods of residence. These low residence requirements, like those in their liberal counterparts in Western Europe, average to around five years, but with the possible exception of the Czech Republic, none of the former states would be classified as having a traditionally 'civic' or 'liberal' conception of citizenship. As will be discussed below, however, the overall period of required residence from the time of legal immigration

[7] All tables for this report have been compiled in an appendix.
[8] In April 2010, Belgium's government proposed a bill to increase the residence requirement for naturalisation from three years again to five years (as it had been until the 2000 reform). If this bill gets adopted in parliament, Ireland will become the country with Europe's lowest residence requirement of four years. See Migration News Sheet, 18 May 2010 .

may be much longer than the specific period stipulated in the citizenship law, since many recent accession states of the European Union only count periods of permanent resident status for naturalisation.

Figure 1. Residency requirements for ordinary naturalisation



Furthermore, there have also been a number of changes to residence requirements since the NATAC study (Bauböck et al. 2006) that challenge these categories. Luxembourg, with the passage of a new Citizenship Law in 2008 (in effect since January 2009), has raised the minimum residence requirement from five to seven years. The residence condition was also raised in the UK with the passage of the Borders, Citizenship and Immigration Act of 2009, which increases the residency period from five to eight years for those persons who do not qualify for 'earned citizenship.'[9] This 'path to citizenship' is projected to be implemented in July 2011. During the same time period, traditionally ethnic countries have lowered residence requirements. Portugal, a new receiving and late democratising state, lowered its requirement from ten to six years under its socialist-led government in 2006. This reform breaks also with an earlier citizenship legislation, changed in an amendment in 1994, that privileged immigrants from Lusophone countries over other foreign applicants by creating two different residence requirements (six and ten years, respectively). Greece has also recently shortened its residence condition (with legislation passed in March 2010) from ten to seven years under a socialist centre-left government.

[9] Earned citizenship is a points-based system measuring progress toward citizenship, which includes criteria such as undertaking voluntary work outside of one's home.

An important dimension previously excluded in comparative studies is the *nature* of residence with respect to whether periods of interruption are allowed and what type of status (e.g., permanent residence) a person must hold prior to applying for citizenship. In all cases, residence counting toward citizenship must be legal. However, there is meaningful variation across these other dimensions of residence. Table 2 presents these differences in more detail, elucidating not only the nature of residence (continuous or interrupted, temporary or permanent) but also whether permanent resident status is required at the time of application.

Austria, Croatia, Denmark, France, Lithuania, Luxembourg, The Netherlands, Spain and Turkey are among some of the countries that require uninterrupted or continuous residence in the period before an application for citizenship can be made. Other countries have variable residency requirements, accommodating for periods of interruption. In Finland, an applicant is required to complete six years of uninterrupted residence or eight years of total residence since the age of fifteen with only the last two years of residence being uninterrupted. In Malta, a total of four years residence must be in the six years prior to application, in addition to one year of uninterrupted residence immediately before application. In Ireland, only the final year before application has to be without interruption and the four years of required residence can be spread among eight years prior. In the Netherlands, instead of the five years of uninterrupted residence, an applicant can complete two years of uninterrupted residence if total residence equals ten years. Finally, in Norway, the requirement of seven years of residence can be met within the past ten years.

A number of states have a specific stipulation that the potential applicant must hold a permanent residence status at the time an application for citizenship is made. Several states have an even more demanding requirement that only years with a permanent residence status count towards naturalisation, including Bulgaria, the Czech Republic, Greece, Latvia and Poland. In Austria, five out of a total of ten years of uninterrupted residence must be spent with a permanent residence status. In Slovakia, naturalisation after eight years is only possible with permanent residence status throughout this period, but after ten years of uninterrupted residence the applicant must only hold a permanent residence permit at the time of application for naturalisation. The UK only requires unrestricted stay ('Indefinite Leave to Remain') at the point of application. In the Netherlands, permanent residence is not required per se but there must be 'no objections' against the granting of permanent residence. Finally, a number of other countries do not require permanent resident status at the point of application, including Belgium, Croatia, Cyprus, Finland, France, Germany, Ireland, Italy, Luxembourg, Malta, Moldova, Portugal, Romania, Slovakia, Slovenia, Spain, and Switzerland. In the case of Switzerland, the state acknowledges time accrued through temporary residence categories, and requires either a permanent or annual residence permit at the point of application. This is also the case in Luxembourg, where no specific residence status is articulated in citizenship legislation.

Permanent residence status as a condition for the qualifying period of residence for citizenship can make the process of naturalisation far more onerous and costly than length of residency and other conditions may indicate. It may add years to an application, require a separate application before that for naturalisation and subject the applicant to additional language or integration assessments. None of these prerequisites get reported in citizenship acquisition conditions, but the potential citizen is nonetheless subject to these further barriers. A brief look at Greece's recent citizenship reform demonstrates this point. By 2012, all applicants for citizenship will be required to hold an EU long-term residence permit, which is granted after five years of residence. The duration of residence *for citizenship* therefore only

requires two additional years of residence (totalling seven).[10] In separating out the requirement for residence from citizenship, a more complex view of Greek citizenship emerges. In terms of cost, the fee for naturalisation is €700 for foreigners and €100 for co-ethnics, refugees, and citizens of the EU. However, the fee for residence is €600 (Christopoulos 2010). In total, citizenship can cost up to €1300 but in separating out these costs we see excessive fee differences reflecting immigration preferences. And, finally, some states require extra 'membership conditions', such as language skills and country knowledge, not only at the stage of citizenship but also for access to permanent residence (van Oers et al. 2010). Norway is only the latest country to require language skills (300 hours of instruction or the certified equivalent level of proficiency) and civic knowledge (50 hours attendance in 'social science' classes) for both citizenship and permanent residence, with refugees and persons granted family reunification having a right to free tuition and an obligation of participation in the scheme.

1.2 Renunciation of prior citizenship

Dual citizenship is a dimension of naturalisation that is often at the centre of vigorous political debate, both internally among political parties and across borders between the conferring and sending states. On the one hand, allowing citizens to hold multiple passports provides increased mobility and enables expatriates to maintain connections with their country of birth or heritage. Dual citizenship can also facilitate integration by encouraging immigrants to naturalise and participate politically in their new country without compromising other connections. According to this view, compulsory renunciation may not only stymie one's personal integration but also disincentivise citizenship acquisition altogether. On the other hand, critics of dual citizenship claim also that it undercuts immigrant integration. In maintaining a second citizenship or identity, immigrants are never fully moored to their host country. Dual citizenship raises not only the spectre of dual loyalty but is also said to create conflicts between states or an unfair distribution of the benefits and burdens of citizenship because of the multiple rights or multiple duties that dual citizens have compared to mono-nationals.

Table 3 lists states by whether or not they tolerate dual citizenship emerging from naturalisation (in other words, whether applicants are required to renounce their previous citizenship). A majority of recent accession countries (Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Poland and Slovenia) and non-EU countries (Croatia, Moldova, Norway) maintain a renunciation requirement, while the majority of Western European countries tolerate dual citizenship, with the notable exceptions of Austria, Denmark, Germany, and the Netherlands.

Contrasting interpretations of citizenship, as well as varying levels of immigration across Europe and of interest in co-ethnic communities living abroad, help to account for the clustering of counties that require renunciation of prior citizenship and those that do not. There are traditionally restrictive countries allowing dual citizenship, such as Hungary, Greece, and Italy, as a strategy of keeping expatriates and co-ethnics living abroad apart from their host society and included in the homeland political community. Spain is an exception to

[10] According to EUDO-Citizenship expert Dimitris Christopoulos, a transitional article (no 25) in the 2010 reform secures that 'for foreigners already residing in the country for five years at the day of entry into force of the law, the [residence] requirement is five years. So, a very big number of people can apply today after five and not seven years.' Personal communication, 22 April and 20 July 2010.

this rule. In some countries, toleration of dual citizenship is asymmetric and applies only to citizens of the country acquiring another citizenship, but not to naturalising foreigners. An illustrative case is Moldova, where a 2002 amendment to the constitution put an end to the previous ban on dual nationality for Moldovans voluntarily acquiring another citizenship while retaining the renunciation requirement for naturalisations in Moldova. This was a response to instances where Moldovan citizens, on a large scale, were applying for the reacquisition of Romanian citizenship (Gasca 2009: 5-6). Other countries that tolerate dual citizenship do so as a liberal instrument for immigrant integration within traditionally inclusive conceptions of citizenship, such as in Belgium, France, and the UK.

Table 3 dichotomises renunciation requirements, but the implementation of these vary across countries. In Spain, persons granted citizenship need to declare renunciation of a prior citizenship, but do not need to deliver any proof that they have actually lost another citizenship and no request for information or evidence is sent to the country of the presumptively renounced citizenship. In Poland, persons granted citizenship are formally required to renounce a previous citizenship, but this is discretionarily applied and, as a result, a high percentage of persons become dual citizens through naturalisation.[11] Effective enforcement of renunciation exists in Austria, Bulgaria, the Czech Republic, Denmark, Estonia, Germany (with the exception of citizens of other EU member states), Latvia, Lithuania, Slovenia (except for citizens of other EU member states where there is reciprocity) and the Netherlands (except for persons born in the Netherlands and spouses of Dutch citizens). In Croatia, the target person has two years after citizenship acquisition to produce evidence of release from prior citizenship. In Estonia, the new citizen must submit a certificate which proves that he or she has been or will be released from his or her previous citizenship. And, in the most extreme example of renunciation, Bulgarian authorities require renunciation evidence before an application is processed without a grace period (introduced in 2001). In some countries, such as Austria, Denmark, Germany, the Netherlands, Norway and Moldova, renunciation is also not required when this is deemed unreasonable. The extent to which exceptions are granted, for example based on the fee that candidates need to pay in their country of origin to be released from their previous citizenship, varies on a country-by-country basis. As a rule, renunciation is normally not required when this is not possible (as is the case, for example, for citizens from most Arab countries). Also for reasons of practical impossibility or unreasonable burdens, a number of countries make explicit exceptions to the condition of renunciation for naturalisation for refugees. This point is expanded in the section on refugee naturalisation and in the corresponding Table 9.

Dual citizenship in Europe has been a policy area marked by significant change in recent years. Italy abolished the renunciation requirement in 1992; other countries which have recently removed renunciation requirements include Sweden (2001), Finland (2003) and, most recently, Luxembourg (2008).

It is worth taking a closer look at the Netherlands, an interesting example where toleration of dual citizenship in case of naturalisation by foreign citizens has been reversed. With the objective of promoting immigrant integration and facilitating naturalisation as a means to that end, citizenship legislation was changed in 1991 to abolish the renunciation requirement for naturalisation. This policy was reversed in 1997 when the requirement was re-introduced. This policy change is visible in the rates of naturalisation. Betty de Hart points out that ‘naturalisation rates rose considerably while 80% of the naturalised immigrants retained their first citizenship’ (de Hart 2007: 78). Indeed, the opportunity to keep one’s prior

[11] Personal correspondence with EUDO-Citizenship expert, Agata Górny. 22 September 2010 (on file with author).

citizenship created a significant incentive for permanent residents to naturalise. But political resistance to dual citizenship grew, driven by the Christian Democrats, who, while initially supporting dual citizenship when in government, had become an opposition party in 1994. By 1997, the Labour party (PvdA), Liberal (VVD), and Socialist (D66) coalition government passed an amendment circular that re-introduced the renunciation requirement, with exceptions for minor children or if the target person is married to a Dutch citizen. Recently, new statistics were released indicating that 1.1 million people in the Netherlands have at least one other citizenship alongside their Dutch citizenship. According to Han Nicolaas, 'This is nearly three times the number on 1 January 1995. Nearly half of Dutch people with more than one nationality also have the Turkish or Moroccan nationality' and, since the 1997 reinstatement of renunciation, this continuation of dual citizenship is through birth and second generation minors of migrants, where 'nearly four out of five persons naturalised in 1998-2008 were permitted to keep their original nationality' (Nicolaas 2009). The ongoing debates about dual citizenship have recently culminated in another amendment of the Dutch Nationality Act passed on 16 June 2010, which eliminated the previous renunciation exemption in the naturalisation procedure for persons residing in the Netherlands for at least five years before the age of eighteen (at the same time, a renunciation requirement was introduced for persons living in the Netherlands since the age of four who can acquire Dutch citizenship by declaration from the age of eighteen).

1.3 Criminal record, 'good character', financial, and health requirements

This section pulls together four often overlapping criteria for naturalisation. These requirements can be consequential to a target person's naturalisation, but it is difficult to systematically compare across cases.[12] The first reason is that 'good character' can be a catch-all category for a clean criminal record and financial self-sufficiency or it can be a distinct criterion. In Table 1 there are a number of merged cells that indicate shared assessment where a criminal background check satisfied a good character clause (Croatia, Cyprus, Finland, Ireland, Lithuania, Malta, Romania, Slovakia, Spain, Switzerland, Turkey and the UK). A second reason why it is difficult to compare these conditions across cases is that the practice of checking financial requirements or criminal records can be ill-defined. These are labelled in Table 1 as 'implicit' or 'indirect' checks of criminal records (Moldova) and financial situation (Czech Republic, Greece, Romania, Slovakia and Spain). In the case of Sweden, the requirement that an applicant for citizenship produce evidence of leading a 'respectable life' encompasses their criminal record, 'good character', and financial situation. Despite these overlaps and degrees of subjectivity in design or implementation, a systematic examination of existing rules is still possible.

Every country has criminal record conditions for residence-based acquisition, but there are degrees of severity that distinguish some policies from others. In Austria, since the 2005 reform, *any* conviction that must be incorporated in criminal records information or any pending court proceedings rule out the granting of citizenship. Before 1999, only a term of imprisonment of more than six months was grounds for denial of citizenship. This threshold was lowered to three months in 1999. Denmark excludes from naturalisation an applicant who has served 60 days or more for a crime against the state, or served a sentence for two years or

[12] Because of this level of subjectivity, Howard (2009) leaves them out of his analysis altogether, stating that 'it is impossible to know how these other requirements vary in practice, since they may genuinely constitute impediments in some cases, while not in others' (22).

more for other crimes, but does not exclude that person from applying after fifteen years. On the other end of the spectrum, Italy does not explicitly require by law a clean criminal record, but documents of one's police record must be submitted to the authorities with one's application for citizenship. Moreover, neither the law nor decrees state explicitly which offences are relevant for temporary or permanent exclusion from citizenship acquisition. In contrast to Austria or Denmark, the assessment is therefore far more subjective in Italy. Finally, several laws contain maximally subjective criteria of exclusion, such as when an applicant is deemed a public threat to the 'state' (Hungary) or 'public order' (Netherlands, Turkey), or where 'interests of national security or foreign policy considerations' (Norway) are regarded as obstacles to naturalisation, or if there appear to be 'serious facts with respect to the person' (Belgium). In a post 9/11 atmosphere these criteria are important and particularly consequential in cases of discretionary naturalisation, where an applicant can complete all the requisite material and procedural conditions and still be denied citizenship.

'Good character' also exists in some cases as a separate category and unrelated to a clean criminal record. France and Iceland are two examples where criminal record and good character conditions are separately defined. In the latter country there is an explicit clean criminal record condition that does not lead to permanent exclusion, but to variable additional waiting time for citizenship acquisition after a criminal conviction, depending on the severity of the crime. At the same time, there is a requirement to demonstrate 'good character' that is met through the submission of two character references by Icelandic citizens. Other states do not have 'good character' clauses but have strict criminal record criteria. This group includes Austria, Belgium, Czech Republic, Denmark, Estonia, Germany, Hungary, Latvia, Luxembourg, the Netherlands, Norway and Portugal.

Financial conditions, including employment, vary widely, but most countries require some evidence of income, absence of public debts, secure subsistence or, to use a description from Finland, a 'reliable account of livelihood.' A stable or regular income is also a requirement for long-term residence status of third country nationals under EU Council Directive 2003/109/EC, therefore the prevalence of this condition for citizenship is not excessively restrictive. However, some countries do impose more onerous financial conditions beyond legal income or livelihood, requiring instead evidence of independence from welfare or social benefits (Austria, Denmark, Hungary and Ireland[13]). Germany also has a requirement that applicants 'must be able to provide for themselves and their family', but with notable exceptions for those under the age of 23. For other applicants the financial requirement can be waived if it causes particular hardship, if waiving it is in the public interest, or if they cannot be held responsible for their requests for social benefits. The only countries that do not have any income requirement include Belgium, the Czech Republic, Luxembourg, the Netherlands, as well as Norway and Portugal, with the latter two having abolished criteria relating to debt or means of subsistence only in 2006.

Related to the financial requirement for naturalisation a handful of countries ask for evidence of employment. France, for example, considers the applicant's employment situation alongside income and self-sufficiency, but again, these are also relevant for residence as a precondition for citizenship and not citizenship per se. Lithuania had a permanent employment requirement between 1991 and 2003, but abolished it as redundant since there is already a requirement of evidence of legal source of economic support. Turkey, Hungary and Slovenia also implicitly evaluate a citizenship applicants' job, based on a requirement that

[13] In Ireland, the Minister of Justice, Equality and Law Reform has often refused citizenship applications where the there has been evidence of the applicant's dependence on welfare, though this is not an explicit criteria for eligibility.

they should be able to earn enough to pay for their own living expenses and those of their dependents and therefore must have a job to meet this requirement. Other countries, such as Austria, consider employment as potentially relevant in assessing secure income. In Latvia, where only one piece of evidence is needed to meet the financial condition, an employment record is one piece of evidence alongside bank statements or taxes paid that may be used for this purpose. In Switzerland employment is not relevant in the federal framework law, but cantons can include a provision to their discretion.

Finally, very few countries impose any health requirements. Among the few that do, Turkey and France have explicit conditions. The UK and Cyprus also have a requirement of 'sound mind' for citizenship through naturalisation. A shared characteristic on the group of criteria discussed in this subsection is a rather wide margin of appreciation for the administration with potentially discriminatory and exclusionary consequences when naturalisation is discretionary.

1.4 Membership requirements: language, country knowledge, value, and integration

Residence duration and renunciation conditions have been important areas of change in ordinary naturalisation, but no other changes have been as widespread and consequential to the future of national citizenship and the identity that citizenship formally institutionalises as those concerning language skills, country knowledge, value commitments, and general integration requirements. This section discusses conditions requiring a naturalising applicant to demonstrate a level of language proficiency and/or country knowledge, as well as sign or swear an oath of allegiance to the country, constitution, to profess a commitment to democratic values or to demonstrate his or her loyalty in other ways. An applicant may also be asked to meet either a general integration requirement or participation in social activities. I group these requirements together under the label of 'membership' criteria. Unlike residence duration, renunciation, and some of the previously discussed requirements which qualify a person as eligible to submit an application for citizenship *pro forma*, membership conditions require the applicant to take proactive, preparative measures or to declare his or her loyalty in order to complete the naturalisation process.[14]

Membership criteria are presented in the last four columns of Table 1. These membership requirements represent – as the name suggests – standards of inclusion and integration and, for better or worse, a contemporary definition of national membership. Describing these requirements as standards of inclusion, however, can be misleading in the context of assessing the relative inclusivity of a citizenship policy; fully articulated membership requirements can exist alongside exclusive material policies and ill-defined or absent requirements can exist among traditionally inclusive citizenship practices (Goodman 2010).

Mastering the language of a country of immigration is a skill acquired over time through residence and social interaction and is therefore one of the most prevailing markers of

[14] This distinction between eligibility and membership criteria is an important one. I point specifically to residence for while it seems ambiguous as both an eligibility and membership requirement, it can be firmly distinguished from the latter in the sense of my definition. Residence may produce national political membership and the relative ease or difficulty of this requirement may indicate how permeable the membership category is, but the relation between residence duration and membership is contingent. It is a testable, not a presumptive, relation. In fact, these new membership conditions are strongest where the relation is contested because migrants *with* citizenship are regarded as not sufficiently integrated.

an applicant's personal level of integration. Today, a number of European states are taking a more central role in providing for, and sometimes mandating, language acquisition. With only six exceptions (Belgium,[15] Cyprus, Ireland, Italy, Poland and Sweden), all EUDO-Citizenship countries have an explicit language requirement. This condition is typically fulfilled through some form of certification, either by taking a national exam or producing evidence of skills in the national language(s). Countries which require a test or educational certification include Austria, Bulgaria, Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Moldova, Netherlands, Norway, Portugal, Romania, Slovenia and the UK. Language competence can also be assessed through an interview or conversation with an immigration officer, as practiced in Croatia, the Czech Republic, France, Greece, Luxembourg, Malta and Turkey. This is especially the case where language skills are evaluated as part of a broader requirement of integration, as is the case in Spain. In federal states, assessment methods can vary widely. Since 2000, federal law requires 'adequate command of the German language' as a condition for citizenship in Germany, but does not specify how the *Länder* should apply this condition. Most states conduct an oral test as part of an interview but in cases of naturalisation based on legal entitlement, written exams have been used.

There are a number of exemptions to the language requirement for naturalisation. A typical one is education in the host country (in Austria, Bulgaria, Estonia, Latvia, Luxembourg, Netherlands and Slovenia). Exemptions also exist in most cases for applicants over the age of 65 or persons with health-related disabilities that prevent them from fulfilling this requirement. A final possibility of being exempted is when an applicant has already met a language requirement for permanent residence. In Austria, the language requirement for citizenship can be met through certification or by having completed the requisite 300 hours of German language training under the 'Integration Agreement', which is a condition for long-term residence status. This is also the case in the Netherlands, where a Certificate of Civic Integration (obtained upon completing the settlement test) exempts the applicant from taking it again for naturalisation. The UK also 'moved backwards' their 'Life in the UK' citizenship test to the stage of settlement ('indefinite leave to remain') in 2007. In the British case, there is no exemption to taking the test based on education record, as the test covers both language and country knowledge. If an immigrant does not have a proficient level of English (defined at the English Speakers of Other Languages Entry Level 3) to take the civics test, then there is an ESOL-language course with citizenship content offered as a second route to settlement or citizenship. The only case that does not 'double count' language for residence and citizenship is Denmark.

The Common European Framework of Reference for Languages (2001) (CEFR), provides a standardised instrument to comparatively assess the difficulty of national language levels. The CEFR divides learning levels into three broad divisions (A: basic speaker, B: independent speaker, C: proficient speaker) which are further subdivided into six levels (in escalating difficulty: A1: breakthrough, A2: waystage, B1: threshold, B2: vantage, C1: effective operational proficiency and C2: mastery). Table 4 shows language requirements using CEFR categories. There is a clear clustering of countries around the A2/B1 level of proficiency. While each learner is different, and some languages are more challenging than

[15] Apart from lengthening the required residence period, the 2010 Belgium government bill also proposed to reinstate the language requirement previously removed in 2000. If the bill becomes law, candidates will have to demonstrate their willingness to integrate into Belgian society and provide proof of knowledge of one of the three national languages (French, Dutch or German).

others, these stages can be reached in approximately 300 hours of language training.[16] This pattern points out a norm of relatively low assessment levels across states. Note that most states require independent sufficiency, not proficiency (C1). France stands out as having the most liberal assessment of language skills, requiring applicants for citizenship to only have an A1, or introductory, level of sufficiency. Denmark also stands out as the country with the most restrictive formal assessment of language skills, produced through incremental increases in difficulty in the past decade (B1 in 2002; B2 in 2006; raised mark requirement in 2008).

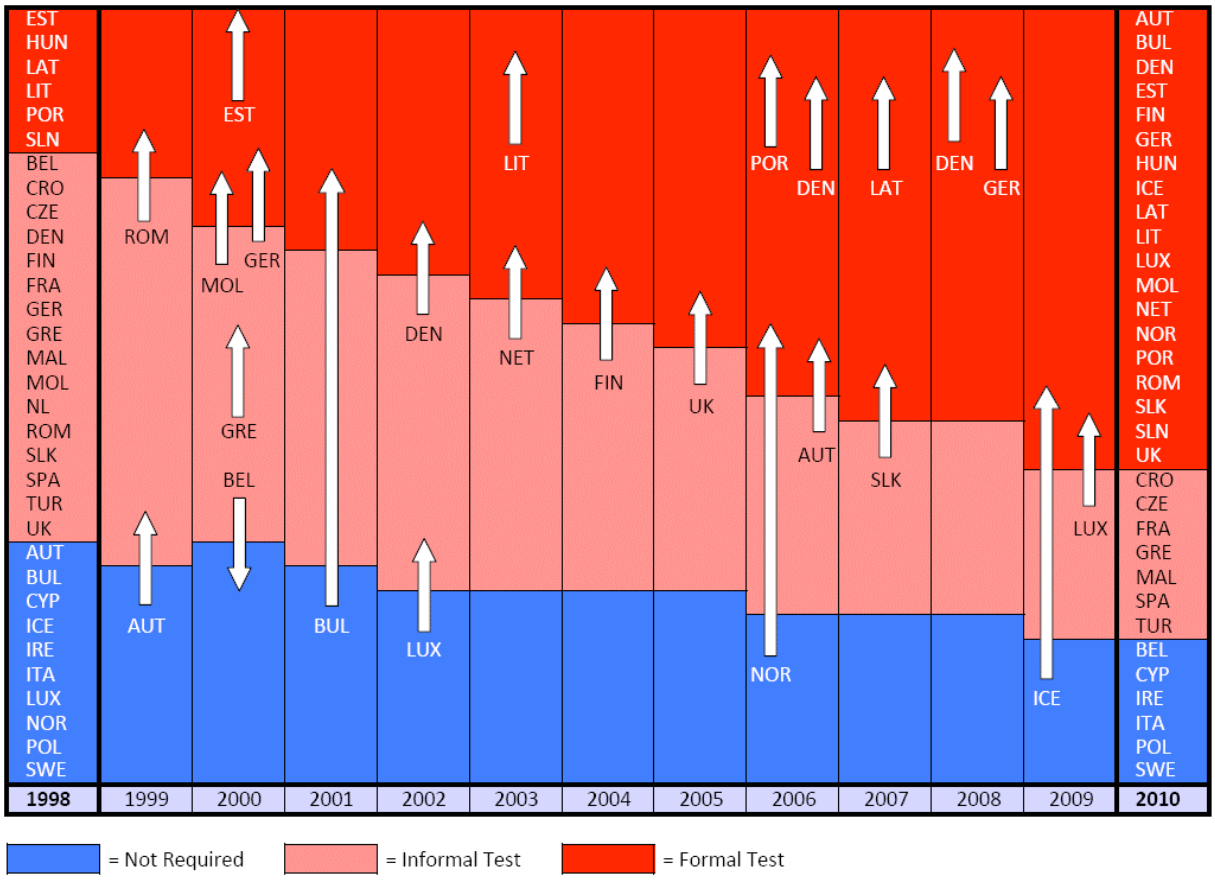
Why do states require language skills for citizenship? On the one hand, this ensures that the naturalising person is able to communicate with co-citizens and autonomously participate in the institutions of state and society. On the other hand, language requirements are not only a benchmark for newcomers but also barriers through which only persons the state wants to recognise are admitted. This interpretation is politically problematic, but high language barriers can certainly serve to discriminate against some applicants over others, particularly if state services to assist in preparation are minimal (Etzioni 2007). Such discrimination is typically associated with Eastern European practices, where language requirements do not serve to integrate immigrants or minorities associated with a former dominant power but, instead, to exclude those populations while ingathering expatriates and persons of co-ethnic ancestry.[17] Estonia and Latvia, for example, have become notorious for their difficult language tests. However, when we examine the level of language skills required among new EU states, we see that these aforementioned countries assess at levels on par with Germany, the UK and Finland. This tempered view shows the advantage of increasing the number of countries covered and raises questions about the simultaneous utility of language requirements as instruments of both inclusion and exclusion.

The second membership requirement that has proliferated in European states is country knowledge. This varies strongly across states and includes knowledge of national social and political institutions, society, facts about history, the constitution, democratic values and parliament. Country knowledge in the form of civics and integration tests or interviews is not as widespread as language assessment, but it is one of the most unique changes to citizenship policies in Europe in the past decade and leads to unavoidable comparisons to traditional countries of immigration that have had citizenship tests for a long time, namely the United States, Canada and Australia. States that use written citizenship tests include Austria, Denmark, Estonia, Germany, Hungary, Latvia, Lithuania, Moldova, Netherlands, Romania and the UK. The percentage of questions that must be answered correctly and the number of questions asked are generally, although not consistently, higher in Europe compared to traditional overseas countries of immigration. In the US, six out of ten questions must be answered correctly, in Canada fifteen out of twenty (75%) and in Australia twelve out of twenty (60%). The analogous requirements in some European countries are: Austria 12/18 (66%), Denmark is 32/40 (80%), the UK 18/24 (75%) and Germany 17/33 (51%). There are also variations with regard to public availability of study materials and the test bank of questions, or with regard to the time in which the applicant has to complete the exam, as well as opportunities to re-take a failed exam. There are also test design differences regarding how knowledge assessment is paired with language. In the US model, you can take the civics component in a language other than English and it is wholly separate from the English language test. In the UK, as previously mentioned, non-English speakers can opt for

[16] A number of countries used the CEFR to define their language level, or to interpret nationally-specific language measures (e.g. Denmark). But in several cases, EUDO-Citizenship country experts were responsible for interpreting the expectations and hours of learning and using CEFR guidelines to link it to learning levels.
[17] Some countries also make exemptions for immigrants whose native language corresponds to that of an autochthonous linguistic minority, such as Finland allowing Swedes to bypass a linguistic test in Finnish.

the course-route to citizenship, which combines civic and language education. But in the Dutch case, completing the four-hour long language component (part I of the naturalisation test, which since 2007 has become a settlement test) is mandatory and a precondition for taking the knowledge component of the test (part II, which covers country knowledge, society and values).

Figure 2. Changes in language requirements for ordinary naturalisation



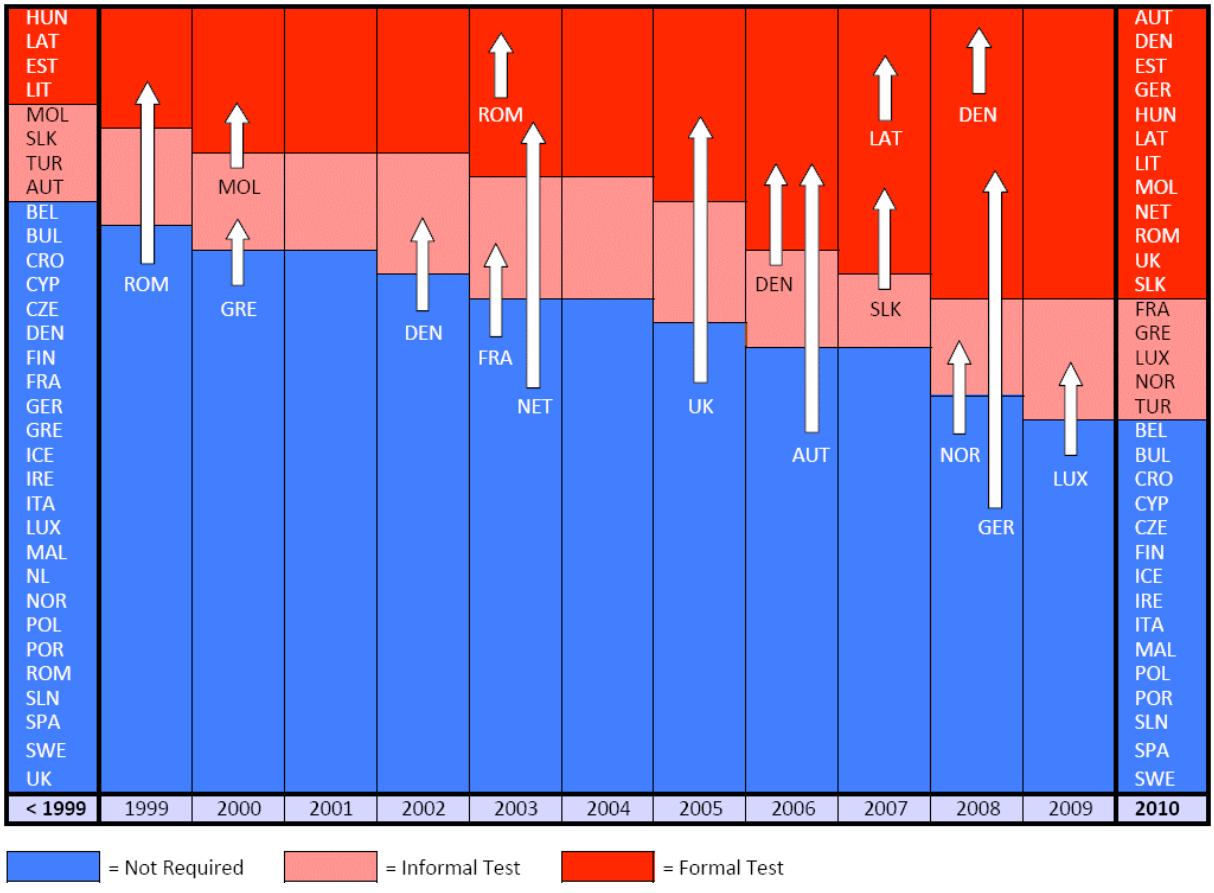
Aside from civics tests, a second way to assess country knowledge is through an interview (France,[18] Slovakia and Switzerland). Slovakia, for example, combines its assessment of knowledge of the republic with the language interview. Hungary has a two part test: round one is oral and round two is written. In Greece, there has been an informal interview assessing language skills and knowledge of Greek history and culture since 2000. The Naturalisation Commission produces a book titled 'Greece: My Second Home,' and asks questions based on this material during the interview. In the March 2010 citizenship reform, policymakers have included the possibility of introducing an 'integration test' to replace this interview. Finally, Luxembourg is a unique case in that, since 2008, an applicant for citizenship is required to take three, two hour civic courses on Luxembourgish history and society as a requirement for naturalisation. While assessment of country knowledge is certainly a notable trend across

[18] Country knowledge is required under art. 21-4 of the Code Civil, which states that applicants need to know about "rights and duties confirmed by the status of French nationality" (since 2003). In practice, knowledge is assessed only implicitly through conduct, appearance, conditions and language. (For more on the development of these administrative practices through secondary legislation, see Carrera 2009: 322-327).

Europe, the pace of adoption and change of this requirement has been slower compared to language testing.

A larger number of countries do not have any country knowledge requirement. This group includes the six countries that also do not have language requirements (Belgium, Cyprus, Ireland, Italy, Poland and Sweden), as well as ten that do (Bulgaria, Croatia, Czech Republic, Finland, Iceland, Malta, Portugal, Slovenia, Spain and Turkey). Despite the more modest dissemination of civic tests, it is significant to note that *every* adoption in Western Europe has occurred only in the past decade. This seems to support Christian Joppke's (2007) claim that a convergence in membership criteria – under the banner of civic integration – seems to be taking place among certain European countries. Figures 2 and 3 show the prevalence of requirements and trend of formalising both language and country requirements, respectively.[19] The figures place countries by the year policy change went into force, not when laws were passed. Arrows indicate a reform that introduces or abolishes tests and strengthens or weakens formal test requirements. They do not indicate the level of required knowledge.

Figure 3. Changes in country knowledge requirements for ordinary naturalisation



[19] Switzerland is excluded from these tables because practices across cantons and municipalities are too variable to allow for any generalisation.

These figures point to a number of significant patterns and findings. First, with regard to both language and country knowledge, the direction of change is towards more standardisation. Stronger requirements of objective assessment are not necessarily indicative of more restrictive practices; an informal interview may be more exclusionary than a standardised written test. Testing the applicants' knowledge of the country's history, constitution, public values or social customs is a less frequent practice, but we still see change across a number of countries. Second, countries that experience the greatest change and fine-tuning of policies are major immigrant receivers. This supports the view that language and country knowledge requirements serve a purpose in promoting – or at least addressing concerns about – integration. Finally, there is a distinct clustering among Eastern European states, some of which already had both language and country knowledge assessment tests and certification in place before the turn of the century (for example, Estonia has had a citizenship test since 1995). It is plausible to conclude, therefore, that the reasons for membership criteria in these two separate time periods are also distinct. Among the original EU-15 states, the argument for tests is clearly related to a perceived failure of past immigrant integration policies. Among some of the new EU-12 Member States, tests often target external groups who qualify for citizenship because of ancestral relations with the country. Language requirements serve then to select those who have better preserved that country's language and culture.

Two related requirements are also included here under the umbrella category of membership criteria: integration and oaths. Integration can be a particularly vague requirement, variably fulfilled through a demonstration of country knowledge (through an interview or test) or of social integration more generally. Spain's requirement is exemplary for an indeterminate condition, as an applicant is asked to demonstrate 'sufficient social integration into Spanish society.'[20] This ambiguity offers a large degree of discretionary leeway in terms of evaluating potential citizens, as judges leading the investigation can enquire about an applicant's family and social ties, professional and cultural activities as well as their personal affinities on Spanish society and values. Only a limited number of countries have either explicit (Austria, Netherlands, Romania, Switzerland, Turkey) or implicit and vague (Czech Republic, Germany,[21] Luxembourg, Malta) integration requirements. France is the only country that explicitly requires 'assimilation,' interpreted to imply evidence of 'social and cultural integration' (as stated in a circular issued in 2000).[22] And of these, only a handful articulate a substantive conception of integration that goes beyond language skills, such as social activities (Malta), not practicing polygamy (Netherlands), and willingness to fulfil public duties (Switzerland).

Finally, a number of countries have value commitments or oaths that aspiring citizens swear at the end of the naturalisation procedure. Oaths are typically among the oldest components of citizenship law, reflecting less the adjustment of national citizenship law to large-scale immigration and more the contours of the nation-state as it emerged from the 19th century. France has had an oath since the 18th century,[23] Finland between 1920 and 1941,

[20] A similar requirement exists for spouses in Portugal ('effective connection to the Portuguese community'), but not for ordinary naturalisation.

[21] In March 2010, an application for citizenship through naturalisation was rejected on the grounds that the applicant held a left-wing ideology incompatible with the liberal democratic values of Germany (Farahat 2010).

[22] In 2008, the Conseil d'État, the highest administrative court, recommended the rejection of the application for citizenship by Faiza Mabchour – a spouse of a French citizen and mother to French citizen children, because she wore a burqa to her interview. This was interpreted as evidence of unsuccessful assimilation into French values. See 'Mother dressed in 'burka' denied French citizenship,' *The Times* [London], 17 July 2008, available at http://www.timesonline.co.uk/tol/news/world/europe/article4347204.ece (accessed 2 Feb 2010).

[23] According to the French Constitution of 1791, a foreign-born person could naturalise 'after five years of continuous domicile in the kingdom if, in addition, they have acquired real estate, married a French woman, or

Greece since 1955. Even as far back as in medieval Italian city-states, citizens 'were required to take an oath, for example, to obey the laws, attend meetings, to pay taxes, to undertake military service' (Heater 2004, 51).[24] The oaths of loyalty sworn by new citizens to states across Europe today are not altogether different. Consider one example, the British oath of allegiance: 'I (name) swear by Almighty God that on becoming a British citizen, I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her Heirs and Successors, according to law.' A distinct feature of today is that newly-naturalised British citizens also swear a liberalism-inspired pledge: 'I will give my loyalty to the United Kingdom and respect its rights and freedoms. I will uphold its democratic values. I will observe its laws faithfully and fulfil my duties and obligations as a British citizen.' Only the UK and the Netherlands have oaths as part of traditional, American-style naturalisation ceremonies; other oaths are written testimonies (Belgium, Cyprus, Denmark, Estonia, Finland, Germany, Latvia) or sworn in front of a magistrate or judge (Ireland, Italy). It is interesting to note that countries that lack language and country knowledge requirements are among the limited group of countries with oaths of loyalty. This suggests that contemporary instruments of integration (language sufficiency, civic tests) may be seen as substituting for the old instruments (integration clauses, oaths).

To summarise, the first decade of the twenty-first century has witnessed a sea-change in membership requirements. States are not only adopting requirements where there once were none but they are also transforming traditionally vague requirements that require administrative interpretation into fully defined criteria with standardised methods of assessment. Joppke (2008) has described this change in membership requirements as central to the 'restrictive turn' of citizenship in Europe. However, it may be more useful to label this shift as an 'objective turn.' The move to robust and standardised assessment may make citizenship acquisition more difficult – especially if policymakers add tests as a deterrent, but it also makes the process more explicit. To return to the British example, a 'sufficient knowledge of the English, Welsh or Scottish Gaelic language' became established as a requirement for citizenship in 1981, but only the 2002 Nationality, Immigration and Asylum Act introduced a standardised mechanism for evaluating applicants, which consists in either the 'Life in the UK' knowledge exam or the ESOL citizenship curriculum route. In defining membership through concrete areas of knowledge and language assessment, national identity is less ambiguous now than ever. They may be onerous and illiberal,[25] but their objective character can only be seen as a net contribution to de-mystifying national membership.

1.5 Procedural conditions for naturalisation

This section turns to a different but equally important dimension of acquisition: procedural conditions. If material conditions articulate the 'what' of an application for citizenship – in

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founded an agricultural or commercial establishment, and if they have taken the civic oath.' The oath was as follows: '*I swear to be faithful to the nation, to the law, and to the King, and to maintain with all my power the Constitution of the kingdom, decreed by the National Constituent Assembly in the years 1789, 1790, and 1791.'* Accessed 2 Feb 2010 at http://sourcebook.fsc.edu/history/constitutionof1791.html. Note that the Americans quickly followed suit, adopting an oath in the Naturalisation Act of 1795.

[24] Of course, in this last example, non-citizens are not 'foreigners' as we understand the term today, but typically persons from outside the city-state or persons just coming into property.

[25] See the discussion started by Christian Joppke on 'How liberal are citizenship tests?' and the various responses by leading academics at http://eudo-citizenship.eu/citizenship-forum/255-how-liberal-are-citizenship-tests.

other words, conditions target persons must fulfil, and membership requirements articulate the 'who' of an application – in other words, characteristics the target person must exhibit, the procedural conditions articulate the 'how.' It is important to reiterate at the outset that procedural conditions are not typically included in comparative studies of citizenship policy.[26] This is most likely the case because practices may vary between regions within a state, or experiences may suggest a lack of uniformity in centralised review. Also, in a cross-national perspective, justification of negative decisions or possibilities for appeal may not be easy to compare across countries. These limitations should not impede description and identification of trends, however. Procedural conditions are highly consequential in determining the inclusiveness or exclusiveness of naturalisation policy, because difficult procedures can make access very difficult in countries where the law specifies only few material conditions that are apparently easy to meet. A ranking of countries based exclusively on material conditions can therefore be misleading. Conversely, smooth or facilitating procedures may allay some of the inherent difficulties of naturalisation. Procedural conditions are also especially important in cases when naturalisation is discretionary and not based not on legal entitlement.

Table 5 presents six dimensions of the procedural conditions of residence-based citizenship acquisition. Most countries have discretionary naturalisation, but even naturalisation based on legal entitlement does not eliminate review and possible rejection. For example, the Spanish Supreme Court ruled in 1999 that applicants have a legal entitlement to naturalisation, but a 2002 decision upheld a potentially contravening ruling that applicants can be denied citizenship if it is deemed that they endanger 'public order' or their acquisition of citizenship is not in the 'national interest.' Other countries with naturalisation by legal entitlement include Croatia, Estonia, Germany, the Netherlands and Portugal. All other countries have discretionary procedures in the case of ordinary naturalisation.

Relevant authorities for checking applications and deciding cases

The administration of naturalisations involves two basic tasks: first, receiving the application and checking it for completeness with regard to all conditions and, second, taking a positive or negative decision. A number of countries house both of these functions in the same department or ministry (Belgium, Croatia, the Czech Republic, Finland, France, Greece, Iceland, Ireland, Luxembourg, Norway, Slovakia, Sweden and the UK). These consolidated responsibilities exist only at the national level, in Ministries of the Interior, Immigration, and Justice or, in the Belgian case, the House of Representatives.

In most states, however, we see a clear division of responsibilities between checking and decision-making. Decisions are the competence of a variety of agencies, including regional judicial authorities, municipal authorities, national ministries, national parliaments and, though only in a formal sense, the head of state on the basis of a recommendation by a relevant ministry. In the Netherlands, the Queen makes the formal decision based on a recommendation of the Minister of Justice, advised by the Immigration and Naturalisation Service. Bulgaria, Hungary, Italy, Lithuania, Moldova and Poland all vest the responsibility for checking conditions in various government ministries while final decision remains under the aegis of the President of the state. In Denmark, Estonia and Turkey (as well as Belgium if an application is contested and changed into a naturalisation case) the respective ministries

[26] Howard (2009) and Koopmans et al. (2005) excludes an examination of procedures altogether, while MIPEX (2007) compares the cost of application and time of application, as well as legal guarantees and redress or appeal decisions on residence and citizenship.

check applications, but final decision-making power goes to national parliaments. In other words, in these countries naturalisation does not require executive approval; it is acknowledged in an act of parliament. In other cases, the final decision lies with central executive bodies (in Latvia and Turkey, the Cabinet of Ministers) rather than specific ministries. Malta is an example of a 'co-ministerial' exception; it relegates checking to the Department for Citizenship and Expatriate Affairs alongside the Ministry of Foreign Affairs while only the latter is responsible for discretionary decisions.

This division between checking and decision-making is also sometimes secured with respect to local government and national ministries. In the Netherlands, the municipality of the applicant's residence has primary responsibility to check applications for citizenship. Poland and Slovenia also divide tasks between the administrative unit where the applicant lives and the decision making authority (President and Ministry of the Interior, respectively). In Spain, the local registry (judge in charge of the Civil Registry where the applicant resides) files and reviews the application. The Department of Justice decides based on a proposal by the Directorate of the Registrars and Notaries (DGRN). In Spain and Portugal citizenship is only acquired if the naturalised person is registered with the civil registry office of residence. Finally, we also expectedly see substantial devolution of naturalisation procedures in federal states. Austria, Germany, and Switzerland locate decisions on naturalisation below the national level with the government of the *Bundesland* (Austria), *Land* (Germany) and canton (Switzerland) in which the applicant resides. Belgium is an exception to this rule. Although this is the most strongly devolved federal state in Europe, naturalisation competence rests fully with the federal legislature.[27]

A particular innovation of the past decade has been the creation of new departments with combined competence in matters of immigration and citizenship. This is a clear sign of both demand for naturalisation and citizenship as well as the bureaucratic imperative to organise an efficient administrative response. The Swedish Migration Board**,** Finnish Immigration Service, Irish Naturalisation and Immigration Service, Hungarian Office for Immigration and Nationality Affairs as well as the French Ministry of Immigration, Integration, National Identity and Co-development are all examples of this institutional evolution.

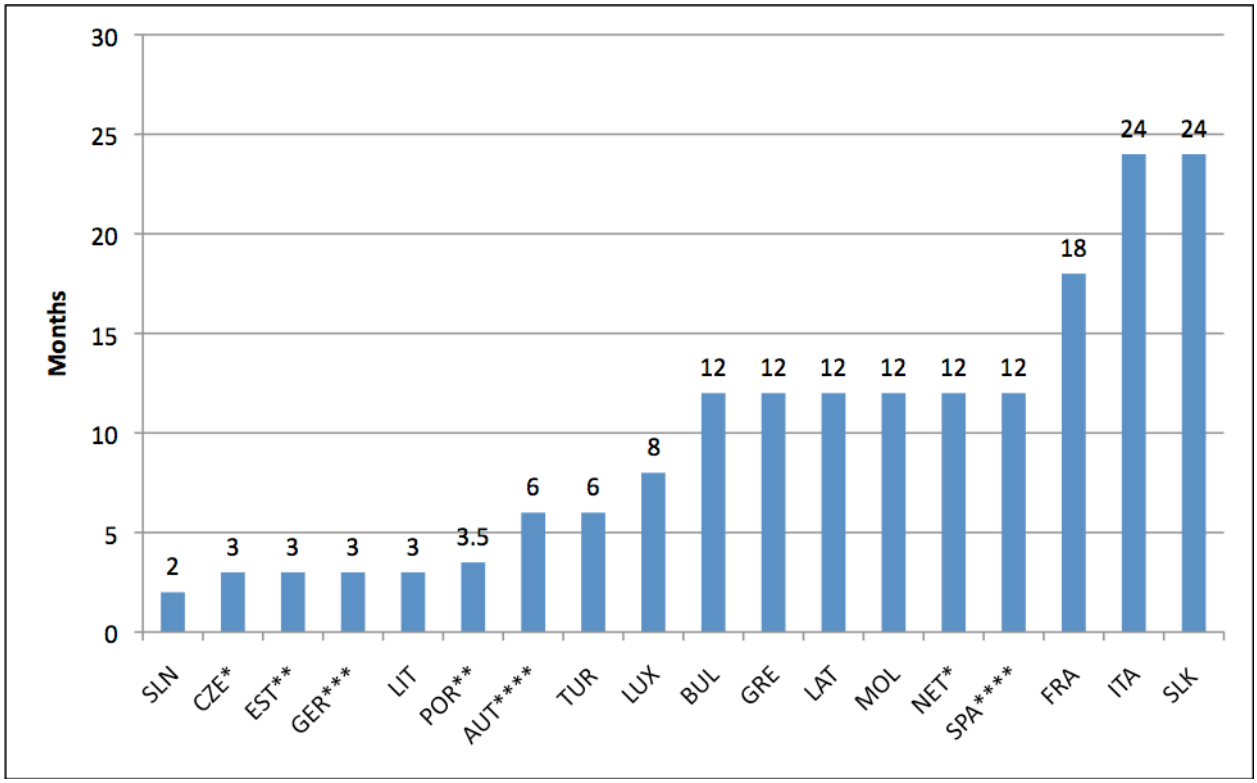
Maximum processing time

A question related to the degree of discretion exercised by authorities with regard to decisions is whether the processing of an application has to be made within a maximum time span. There have been a handful of changes in a number of countries since 2005, moving from no time limit to variable periods in Greece (one year) and Luxembourg (eight months). The Netherlands went from a two year processing period to one year, which can be extended twice for six month periods. Other countries have not changed regulations since the mid-2000s, including Austria (six months), Spain (one year, though it is not practiced or enforced), France (eighteen months after initial processing) and Italy (730 days).

[27] When citizenship is acquired through declaration (after seven years of uninterrupted residence), the procedures of checking and decision are located instead with the registrar and public prosecutor. Also, unlike for discretionary naturalisation after three years of residence, negative decisions require justification and can be appealed.

In Germany, authorities are not constrained by a maximum time period within which they have to decide, but an applicant is allowed to bring an action against the responsible authority if a decision has not been made after three months without sufficient justification. Outside of the EU-15, processing times are regulated in Bulgaria (one year), the Czech Republic (90 days without interruption), Estonia (three months), Latvia (one year), Lithuania (three months), Moldova (one year), Slovakia (24 months), Slovenia (two months after audit) and Turkey (six months). Fifteen countries have no limits or regulations of maximum processing time (Belgium, Croatia, Cyprus, Denmark, Finland, Hungary, Iceland, Ireland, Malta, Norway, Poland, Romania, Sweden, Switzerland and the UK). Figure 4 shows the time periods used in those countries that have relevant regulations in their laws.

Figure 4. Maximum duration of procedure for ordinary naturalization



* Periods can be interrupted. In the Netherlands, the one year period can be extended for two six-months periods.
** Maximum duration applies only for processing; there are no time limits for decisions by relevant government ministries.
*** This is a de facto limit because an applicant can take legal action after three months.
**** Periods may be longer than the legal maximum because of verification of renunciation (Austria) or lax implementation (Spain).

Processing time is difficult to interpret as either permissive or restrictive. The absence of a prescribed processing period in thirteen countries gives maximum flexibility to the authorities. At the same time, the long duration of France and Italy's possible processing times provide them with similar flexibility. Authorities are most constrained and applicants are most favoured in countries with a year or less in processing time. Among these are both 2004 accession countries (Slovenia, Czech Republic, Estonia, Lithuania, Latvia) and high-volume receiving states of immigrants in Western Europe (Germany, Austria and the

Netherlands). In this view, Britain's lack of an average or maximum processing time is an outlier, but in line with legal traditions in the UK that put fewer constraints on executive power.

Judicial rights: obligation to justify negative decisions and right to appeal

The obligation of decision-making authorities to justify negative decisions can also limit the authorities' discretion and is a precondition of any effective right of the persons concerned to appeal against an unfavourable decision. The norm that negative decisions need to be justified is widely respected across countries. The few exceptions to this trend include Belgium, Bulgaria, Iceland, Malta and Poland. In a couple of cases, there is no legal obligation to provide a justification on negative decisions but these are supplied by practice and precedent. This is the case in Ireland, where the Nationality Act does not contain any obligation of the Minister of Justice to justify his or her decision, but the Information Commissioner nonetheless established in 2003 that explanations are an uncontested precedent, and Denmark, where a decision on the list of candidates for naturalisation is taken by parliamentary vote and often also debated in parliament.

Similarly, there is a generally acknowledged norm to allow for a right of appeal in response to a negative decision. States that do not formally justify the rejection of an application also do not allow for appeal. These are Belgium, Bulgaria, Iceland, Malta, Poland, Denmark (an applicant can make a report to the ombudsmen, but not appeal the decision) and Ireland (only judicial review by the High Court). There are, however, three countries that provide for justification but not for appeal (Croatia, Hungary and the UK). The British practice is unique. Judicial review was secured in 2002 through the Nationality, Immigration and Asylum Act, alongside the obligation that discretionary decisions on citizenship be justified, but review is not tantamount to a right of appeal. Applicants for asylum have the right to appeal, but not those who apply for naturalisation. Finally, in response to the general trend in Europe, recent changes in Greece have also created the right to appeal for the first time.

Administrative fees

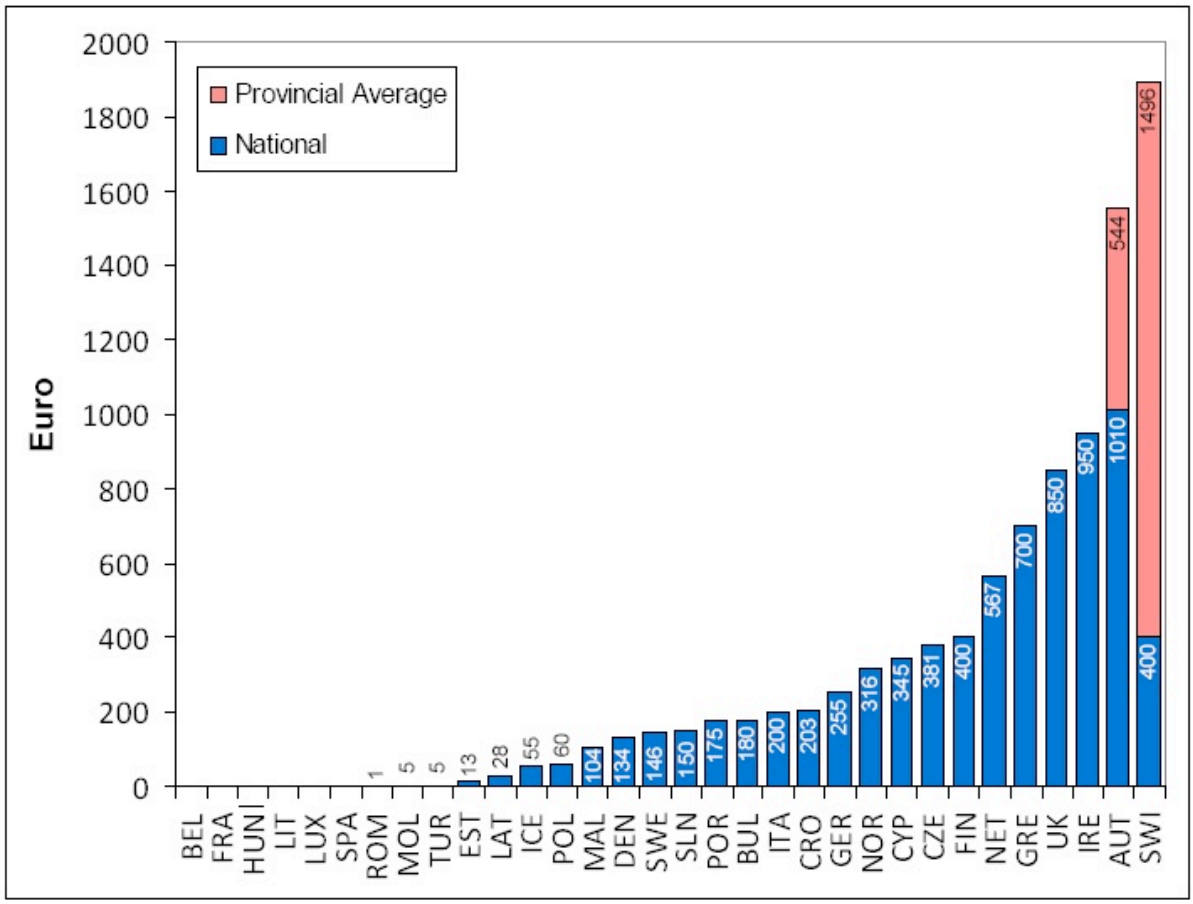
For many immigrants in low income jobs, the decision to naturalise is partly determined by cost considerations. Administrative fees are an important – but certainly not the only – element in the cost of naturalisation. Additional costs may result from fees paid to states of origin for release from a previous citizenship, from fees for language and civics tests in the country of naturalisation, and for obtaining required official documents in both countries. The cost of naturalisation can therefore determine one's likelihood of acquiring citizenship, even when other material conditions are comparatively easy. For our study, only data on administrative naturalisation fees are available and these vary widely across countries. Figure 5 maps the costs of naturalisation in 31 states.[28] All national currencies are converted into Euros to make them comparable.

[28] Due to lack of information, Slovakia has not been included in this figure. Also note that Austria's value reflects both fixed federal fees for application and granting (€1,010) and variable regional fees that average out to €543.55. Every provincial fee adds a significant cost to citizenship, but this cost can range from €190 in

The fee for Austria includes an average of all provincial fees in addition to the federal fees. The fee for Switzerland includes an average of three provincial and local fees in addition to federal fees.

These differences in fees alone point to the larger payoff in examining procedural conditions alongside material ones. Procedural conditions can have complementary or counterproductive impact on the process of naturalisation. A naturalisation policy may be categorised as liberal if citizenship is relatively easy to obtain when taking into account only material conditions. However, excessive fees or limited rights of appeal can undermine this assessment. In this sense, we might interpret British and French citizenship policy as very different though there are many resemblances in terms of toleration of dual citizenship and residence requirements.

Figure 5. Administrative fees for ordinary naturalisation



Vienna to as much as €1492 in Styria. Likewise, Switzerland's high cost for citizenship reflects both fixed federal fees for issuing a naturalisation permit (100 CHF) and preparing a case for cantonal decision (300 CHF) as well as an average of fees from three, representative cantons and communities – Thurgau, Zurich and Bern. Cantonal fees include, in these cases, 600, 500 and 1,500, respectively, and the suggested fees for local communities range from 1,200 to 1,000 to between 450 and 2,500, respectively. Inclusion of these averages might overestimate the average individual cost of citizenship in both Switzerland and Austria because fees significantly vary across regions and municipalities. However, because the differences between federal and local fees are also significantly different, the inclusion of averages is still 'closer to the pin' than their exclusion.

1.6 Residence-based naturalisation (mode A06): Conclusions

What conclusions can be drawn from this exhaustive examination of residence-based ordinary naturalisation? The complex configurations of material, membership and procedural conditions for naturalisation suggest that while there is significant variation between neighbours and areas of ongoing policy divergence, there are also growing areas of policy consensus across the European landscape. Looking at Harald Waldrauch's study of residence-based naturalisation among the EU-15 in the NATAC project, a number of trends he observed still hold, including: 'tests of the applicant's knowledge of various aspects of the respective country'; 'proficiency in the country's official languages(s)'; and, overall, 'laws and decrees in most states still contain vague clauses that give the authorities – often considerable – room for discretion and interpretation' (Waldrauch 2006: 154-156). By adding eighteen more countries to the initial EU-15 sample, we see a larger majority of countries with language requirements (27 out of 33 countries; the only exceptions being Belgium, Cyprus, Ireland, Italy, Poland and Sweden) and a smaller but increasing group of countries that require civic knowledge (now eighteen, with Estonia, Hungary, Latvia, Lithuania, Romania, and Slovakia among the recent EU accession states). We also still see a perpetuation of discretionary instruments, including criminal record checks, 'good character' and 'integration' conditions. To this list of trends, we could also add the following: (1) an administrative duty of justification of a negative decision and the right to appeal; (2) a permanent residence permit as a precondition for citizenship; and, finally, not only a general move towards what we have called membership criteria, but also (3) an 'objective' turn in membership assessment and (4) the raising of levels of difficulty in terms of mechanisms of assessment and level of language skills (most notably in Denmark and Austria). A number of these trends have also been identified in Vink and de Groot's (2010) incisive analysis of citizenship attribution among the EU-15.

However, in contrast to these continuing trends, some of Waldrauch's other observations require a bit of qualification, specifically the 'wider acceptance of multiple nationality' (Waldrauch 2006: 155), with regard to which he highlighted the removal of the renunciation requirement in Italy (1992), Sweden (2001), and Finland (2003). Although a Western European trend seems to be confirmed by the reform in Luxembourg (2008), the Netherlands have removed exemptions from their general renunciation requirement in 2010. In a larger comparative context, very few countries in Eastern Europe allow for dual citizenship (exceptions include Hungary and Romania). In total, a little over half of all EU countries accept dual citizenship, but the prevalence of renunciation requirements in new EU countries counterbalances enthusiasm about 'wider acceptance.' Furthermore, the trend towards 'acquisition free of charge' (Waldrauch 2006: 156) is, as Figure 5 shows, unsubstantiated. While Belgium, France, and Luxembourg have removed application costs in the past decade, other countries have put them up (Austria, Netherlands, the UK); and while fees are nominal in a number of Eastern European countries, they are more substantial in others.

Part 2 of this report turns attention from ordinary naturalisation to seven other modes of citizenship acquisition through naturalisation. All of these are offered to particular categories of persons, whose special circumstances provide states with specific reasons for granting them citizenship. These special modes of naturalisation are compared against the benchmark of ordinary naturalisation. We analyse again patterns of variation and trends among these other modes of acquisition. Therefore, ordinary naturalisation is important not

only for understanding how countries respond to outsiders but also as a baseline for understanding how they respond differently or similarly to special categories.

2 Other modes of naturalisation (modes A07, A08, A09, A13, A14, A22, A23)

Residence-based naturalisation for persons without special status (mode A06) is the standard naturalisation route, but states also make special rules of eligibility for citizenship for a number of other categories of persons. These include provisions for minors, spouses, children, refugees and stateless persons, which typically require changes of naturalisation criteria with regard to residence, membership requirements, fees, and sometimes the requirement of renunciation. When states open up more channels for acquisition to more categories of persons through naturalisation, this provides a new dimension to the inclusiveness-exclusiveness debate and contributes to the importance of a complex, configurative view of citizenship practices.

2.1 Socialisation-based acquisition (mode A07)

One such modification is an alternative form of residence-based acquisition itself. Ordinary naturalisation is for adults, but persons can qualify for citizenship through school attendance or completion of schooling in the country, or a certain period of residence before the age of majority. We analyse such modes of facilitated naturalisation as *socialisation-based acquisition* (mode A07). In most cases, conditions have to be fulfilled as a minor but acquisition can only occur upon reaching majority.

Where conditions for minors are easy to meet and access to citizenship is an entitlement, as is for example the case in Sweden, this mode can compensate for a lack of ius soli provisions for acquisition at birth (Honohan 2010). It has the advantage of including also the so-called ‘generation 1.5’, i.e. minor children who immigrate with their parents after birth at an early age. Where conditions are, however, difficult to meet and decisions are discretionary, socialisation-based naturalisation cannot have the same inclusionary effect as automatic acquisition based on birth in the territory.

Of the thirteen countries with socialisation-based acquisition, and in contrast to ordinary residence-based acquisition, over half use declaration as the procedure for acquisition (Belgium, Finland, France, Iceland, Latvia, Netherlands, Sweden) while the remainder use naturalisation (Denmark, Norway, Portugal, Slovakia, Slovenia). Germany abolished socialisation-based acquisition in 1999, because the new general residence-based naturalisation process covers the same requirements, and Luxembourg more recently abolished it with the Nationality Law of 23 October 2008. Greece has newly introduced socialisation-based naturalisation in March 2010. The foreign citizen parents of a child who is a permanent resident and has attended a Greek school in Greece for six years can naturalise their child by making a joint declaration to the civil registry of the municipality where the child resides. Such children can also acquire naturalisation by filing themselves a declaration between age eighteen and 21. The list of countries, as well as residence and education requirements, are presented in Table 6.

The most restrictive socialisation-based acquisition exists in the Netherlands, where a minor has to be a lawful and habitual resident of C1 since the age of four. An applicant under

this mode does not have to complete the language requirement or integration test but, as of 2009, it is a requirement to participate in the naturalisation ceremony on Kingdom Day (15 December). Since 2010 persons who acquire citizenship by declaration, based on this ground, have to renounce a prior citizenship. Finally, education is not an explicit condition of acquisition, but the applicant will have nonetheless attended school in the Netherlands because of the extensive residence requirement.

Unlike in the Dutch case, secondary or professional education is an explicit part of socialisation-based acquisition in Denmark, Latvia, Portugal and Slovenia. Denmark adds a four-year residence requirement (five years less than ordinary naturalisation) to education, and imposes also a number of additional conditions that apply otherwise to ordinary naturalisation. Between 2002 and 2005, knowledge of Danish culture and history was part of a language requirement. After 2006, the applicant must document knowledge of Danish society, culture and history by a certificate of having passed the citizenship test. In 2008 the procedural conditions for the test were strengthened. Portugal, which only implemented socialisation-based acquisition in 2006, also requires the completion of elementary school in addition to sufficient knowledge of Portuguese and no criminal convictions that carry a prison sentence of three years or more.

The residence requirement for acquisition under A07 ranges from three (Slovakia) to ten years (Finland). Finland offers an abbreviated period of residence for citizens of Nordic countries (five years). One of the oldest practices of socialisation-based acquisition exists in France; since 1973 there has been a route to citizenship for minors raised in France by a citizen or welfare institution, or who have received French education for five years. None of the other conditions for ordinary naturalisation has to be met by this category. In Sweden, minor children can acquire citizenship after five years of residence without any of the other conditions attached to ordinary naturalisation if their parents file a declaration on their behalf. After the age of twelve, the child must consent to naturalisation. A second opportunity is offered at age eighteen or nineteen when persons who have lived as minors in Sweden since age thirteen can also obtain naturalisation by declaration.

No clear trends emerge in examining socialisation-based acquisition. It is limited to a small number of countries; even when the eighteen additional countries are added to the NATAC EU-15 sample, we only increase the group to twelve out of 33, or one third of all European countries covered. There have been some changes in this mode in certain countries, but not enough to amount to a trend. Slovenia only recently introduced acquisition for minors with successful completion of higher education and seven years residence in 2006. Iceland adopted socialisation-based citizenship through declaration in 2003 for applicants with residence since age eleven.[29] Norway also adopted acquisition through this mode with the Nationality Act of 10 June 2005 (in force since September 2006), for minors with five out of seven years of residence. Balancing out these new implementations of this inclusionary mode though, there has also been a tightening of conditions in France (adding a five years residence requirement in 2003) and Denmark.

[29] If the applicant is stateless, there must be a residence since the age of thirteen, if a citizen of a Nordic country, since age sixteen.

2.2 Spousal transfer (mode A08) and extension (mode A13)

As ordinary naturalisation, spousal acquisition is also a prevalent route for acquisition and included in comparative studies alongside ordinary naturalisation. There are two different modes of acquisition for spouses: transfer (mode A08) and extension (mode A13). Citizenship is *transferred* to a spouse if the target person is married to a person who is already a citizen of the country under consideration; it is *extended* if both the target person and his/her partner are initially foreign citizens and naturalisation of the partner is simultaneously extended to the spouse. All countries – with the exception of Estonia and Luxembourg (abolished in 2008, spouses now gain citizenship through ordinary naturalisation) – have a route to citizenship through spousal transfer (mode A08). Only three countries (Austria, Croatia and Germany) have formal opportunities for naturalisation through spousal extension (mode A13). Our discussion here will focus on spousal transfer but extension is also included in Table 7 for comparative purposes.

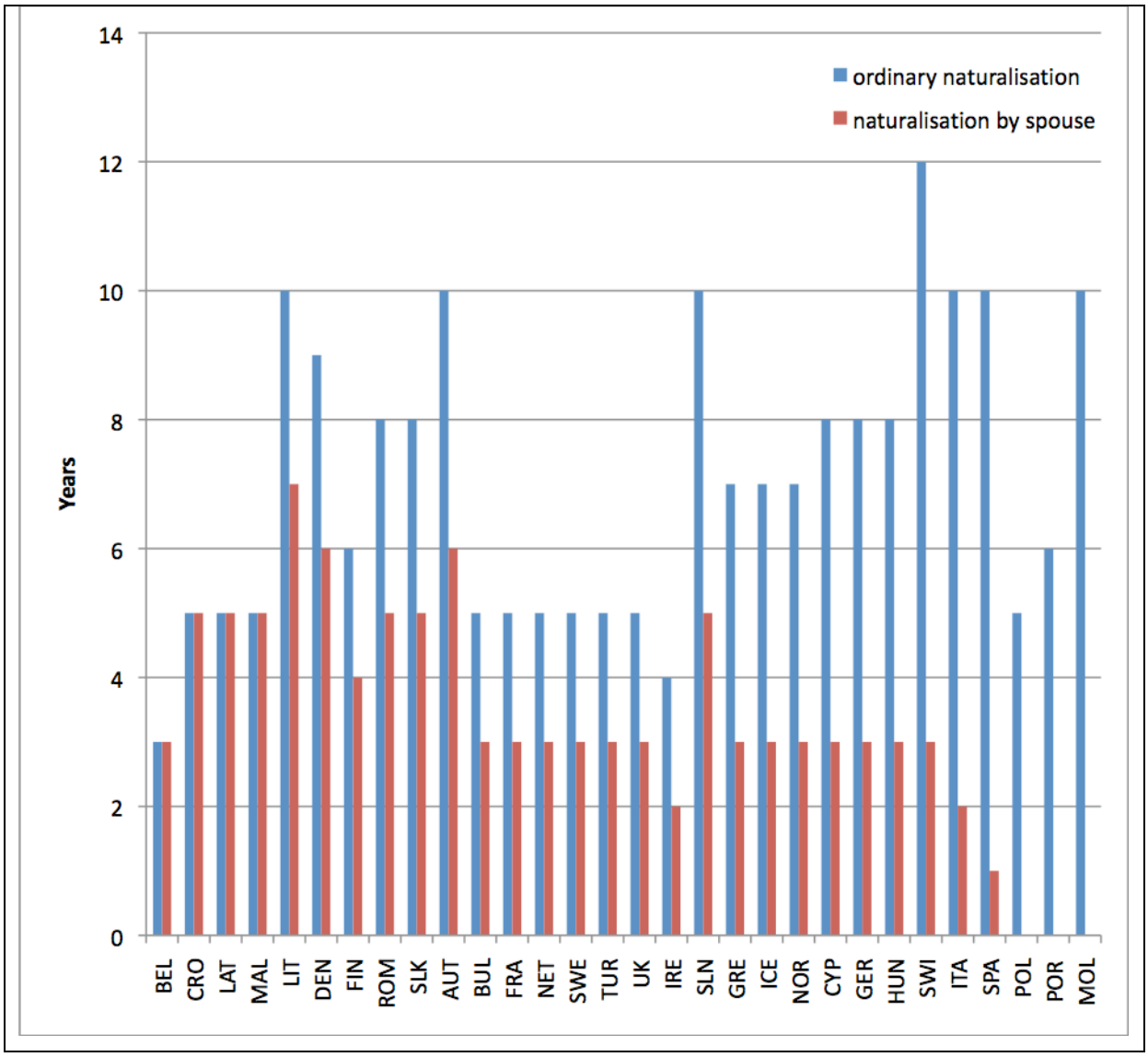
Nearly every country that confers citizenship through spousal transfer uses naturalisation, in contrast to the historical practice of automatic and even involuntary spousal acquisition *ex lege* (by female spouses only). A third alternative to discretionary naturalisation or automatic acquisition is a declaration procedure in which the applicant notifies the authorities of her or his decision to acquire the citizenship of his or her spouse. Today, only Belgium, France, Poland and Portugal use a declaration procedure. However, even a declaratory procedure need not be unconditional. In France, the government can oppose acquisition for reasons of 'unworthiness' or 'assimilation defects,' especially with regard to respecting 'French culture and way of life' (see Civil Code Articles 21-4) within one year after being notified of the declaration. Additionally, declaration can be contested if conditions were not fulfilled within one year after registration (since 2003) and in cases of fraud or false information within two years (since 1998).

There are some additional elements that are uniquely applied to spousal acquisition and distinguish it from residence-based acquisition. First, in spousal acquisition there is frequently not only a residence requirement but also a condition of minimum duration for marriage. Residence is often also qualified not only in terms of duration of stay in the country, but with an additional requirement that residence must be in a shared household. There can also be differences in material and procedural conditions between general residence-based and spousal acquisition (presented in the 'differences from A06' column of Table 7), including relaxing requirements of citizenship tests, language skills, or administrative fees for application. Sometimes there are also specific criteria for the reference person – the citizen spouse – such as years of holding citizenship. Finally, acquisition through spousal transfer may also be possible for registered heterosexual or homosexual partnerships and same-sex marriages.

A number of countries offer more than one route to citizenship through spousal transfer. In the Netherlands, a target person spouse who has been a resident for fifteen years or more can obtain citizenship through declaration, whereas discretionary naturalisation is possible for persons who share a common household in a marriage or registered partnership with a Dutch citizen for three years. In the declaration procedure, the applicant is not subject to the integration or language exam attached to naturalisation, but does need to participate in the naturalisation ceremony. Other countries require different periods of residence based on duration of marriage. In Denmark, there is only one procedure for acquisition (discretionary naturalisation), but with different criteria of eligibility based on residence and marriage duration (after six years of residence with three years of marriage in a common household;

after seven years of residence with two years of marriage; and after eight years of residence with one year of marriage or co-habitation). France has an option available for spouses living within France and abroad; a spouse can apply after three years of common-household residence in France and four years of marriage, or after five years of marriage if he or she has less than three years of uninterrupted residence in France or resides abroad. Sweden and Switzerland have similar additional procedures for residence abroad after ten and six years of marriage, respectively. Greece has special provisions for spouses of diplomatic officers (three years of residence and marriage are lowered each to one year). A similar procedure exists for spouses of reference persons who have rendered 'exceptional service' (mode A24). Lithuania also has special sub-modes for various categories of reference persons: citizens, deportees/political prisoners under the Soviet regime, or deceased.

Figure 6. Differences in residence requirements for residence-based (A06) and spousal (A08) acquisition



* Countries are ranked according to the relative time difference between residence requirements for spousal and ordinary naturalisation.

The most important and consistent difference between citizenship acquisition by ordinary naturalisation or marriage (A06 and A08) concerns residence. In almost every case, the residence requirement for spouses is lower than that for ordinary naturalisation. Poland, Portugal and Moldova are exceptional in completely waiving the residence requirement in case of spousal acquisition. Figure 6 compares residence duration for residence-based and spousal acquisition, ordering countries by rates of time difference (spousal residence requirement divided by that for ordinary naturalisation). In only a few cases (Belgium, Croatia, Latvia and Malta) is there no reduced residence requirements for spouses. Even rarer are the opposite cases where there are no residence requirements for spouses altogether (in Moldova, Poland and Portugal). These latter laws probably still build on older traditions when wives automatically acquired the husband's citizenship through marriage. In the remaining cases the rates range from 0.7 (in Lithuania) to 0.1 (in Spain).

Typically, a marriage must be of the same length as the residency period. However, there are cases in which marriage is inversely related to residence where longer marriages require shorter residence period (Denmark) or no residence at all. France, Sweden and Switzerland make it possible for a spouse to apply while living abroad. Most of the residence periods, whether in the citizenship-conferring country or abroad, have a formal provision requiring a common household.

A more limited deviation of spousal transfer from ordinary naturalisation concerns exemption from a ban on dual citizenship: only Croatia, the Netherlands and Poland exempt spouses of citizens from a general renunciation requirement. This creates a double standard between spouses and immigrants undergoing ordinary naturalisation in terms of expectations of membership and belonging and may create an incentive for marriages of convenience. There are also slight variations between A06 and A08 requirements regarding administrative fees. In Austria, a spouse pays approximately €200 less in citizenship fees. In the Netherlands and the UK, costs for spouses are 'bundled' with a primary application of the other spouse for ordinary naturalisation,[30] so two persons applying at the same time pay a reduced fee (€719 for two applications in the Netherlands, where one application costs €567; £930 for two applications in the UK, where the fee for one application is £735).

Since the late 1990s, Austria, Denmark, Greece, France, Netherlands and the UK have all extended language and country knowledge requirements to spouses who had been previously exempted. With a majority of states making no such exemptions, those countries where differences remain between spousal and ordinary naturalisation are noteworthy. There is clearly no pattern of change among these criteria: Moldova and Switzerland have lowered the level of language assessment for spouses (from B1 to A-level), France has raised it (from A1 to B1), and Croatia, Iceland, Malta and Turkey exempt spouses from language tests altogether. There is also no trend with regard to the direction of change. Ireland repealed a provision for spousal acquisition through declaration while France repealed a naturalisation-based mode of spousal acquisition in 2006, which was unlike the remaining provision according to which an applicant can declare and register for citizenship after a shortened period of residence. France also raised the marriage duration requirement for married couple living abroad from three to five years. Portugal, notably, requires spouses to demonstrate an 'effective link to the community.' This integration requirement does not exist for ordinary naturalisation.[31]

[30] The UK payment rules are particularly unique as they also cumulate fees for citizenship applications for spouses in a simultaneous application with a primary residence-application.

[31] According to EUDO-Citizenship expert Ana Rita Gil, 'it is for the Public Prosecutor to prove why he or she considers that the spouse/partner lacks such an effective connection. If the Public Prosecutor does not lodge such

Finally, there are variable practices regarding the inclusion of same-sex or registered partnerships. A number of states extend acquisition rights to such relationships: Austria (as of 2010), Belgium (since 2004), Denmark, Finland, Germany, Iceland, Netherlands, Portugal, Sweden and the UK. However, coverage is not always equal. In Iceland, spouses must be resident for three years while registered partnerships require five years.

Turning to spousal extension (mode A13), only Austria, Croatia and Germany have this mode of acquisition. Belgium, France and Luxembourg have all recently removed acquisition through extension. The main relaxation of conditions between Modes A13 and A06 concerns residence and differences are similar as for spousal transfer. In Austria and Croatia, it is the same residence period as for spousal transfer (six and five years, respectively). In Germany, eight years of residence are required for spousal extension, which is the same period as for ordinary naturalisation. In all other states, persons who apply for naturalisation together with their spouses have to meet general requirements.

2.3 Filial transfer (mode A09) and extension (mode A14)

As in the case of spousal acquisition, the acquisition of citizenship by minors is a simplified version of ordinary, residence-based naturalisation. And also as in spousal acquisition, there are two different modes of acquisition: transfer (mode A09) and extension (mode A14). Filial transfer applies when the target person is a child (natural, adopted or foster child) of a reference person who is already a citizen of the country under consideration, while extension is conditional upon or results automatically from the simultaneous acquisition of citizenship by the target person's parent. Children generally receive citizenship at birth through ius sanguinis (de Groot and Vink 2010), but this mechanism of automatic descent-based acquisition fails where neither parent was a citizen at the time of birth. The two modes of filial acquisition discussed here substitute in this case for ius sanguinis just as socialisation-based acquisition substitutes for ius soli in case of immigration after birth.

Table 8 summarises target and referent person criteria for Modes A09 and A14. Strikingly different from spousal transfer and extension, the most prevalent mode for children from their parents is through extension. As the child formally undergoes naturalisation, acquisition is sometimes conditional upon the completion of A06 criteria, like language. These material conditions are often waived when the child does not individually undergo naturalisation but is included in a parent's application through filial extension, as is the case in the Czech Republic, Estonia, Finland, Ireland, The Netherlands and Slovakia. When minors *are* required to meet material conditions, these can sometimes be met in a different way, as in Austria where a positive grade in language and history in secondary education exempts from language and civics tests. And in all cases, minors remain bound to the remaining material conditions, such as clean criminal record and good character conditions.

A number of countries employ procedures other than naturalisation, namely automatic acquisition (A09: Bulgaria, Sweden; A14: Greece, Italy, Luxembourg, Moldova, Slovakia), declaration (A09: Netherlands, United Kingdom; A14: Iceland, Latvia, Turkey), or simultaneous avenues for declaration alongside extension of discretionary naturalisation (A09: Spain; A14: Austria, Denmark, Netherlands, Norway, Poland). The type of procedure

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a process, then the spouse/partner may acquire citizenship without having to prove an effective link to the Portuguese community' (personal correspondence, 14 June 2010. On file with author).

for acquisition is sometimes contingent upon the mode of acquisition of the referent parent. In Austria, a TP minor has to apply for naturalisation if either parent acquires citizenship through naturalisation. If the TP's parents are not married and the mother acquires citizenship in C1 through legitimation instead, automatic acquisition is possible for the minor child. Similarly, the Netherlands' two routes for filial acquisition through naturalisation and declaration depend entirely on the procedure of acquisition of reference person(s). In the case of Denmark and Norway, declaration and automatic procedures, respectively, are reserved for children of reference parents reacquiring C1 citizenship or holding citizenship of a second Nordic country. Finally, Poland has automatic acquisition alongside discretionary naturalisation for minors under the age of sixteen.

Most states do not specify a residence requirement for minors, even when the procedure is extension of discretionary naturalisation. Switzerland has the longest residence requirement for filial transfer, with five years residence for children up to the age of 22, followed by Moldova (three), and Norway and Slovakia with two years. Finland has the longest residence condition for filial extension, requiring four years for minors aged fifteen, sixteen or seventeen, or a total of six years since the age of seven. Ireland and the Netherlands (through naturalisation) require three years of residence for minors; Norway and Switzerland (A14) require two years; Slovenia requires one year. In almost every case, the law explicitly states that the target minor has to be a permanent resident. Belgium is an interesting case where, since 2006, second-generation minors of non-citizen parents may automatically obtain citizenship if their parents have held permanent residence for ten years (Foblets and Yanasmayan 2010).

Evaluating relative inclusion and exclusion of filial transfer and extension is a challenge. Automatic extension or extension by declaration are clearly more inclusive than individual discretionary naturalisation. But if changes are made to make filial acquisition easier than ordinary naturalisation, it may still not be inclusive in comparison to other states. From a second perspective, an interpretation of inclusive citizenship for minors could rely on the Council of Europe's latest position on children in nationality law (Council of Europe 2009),[32] which aims primarily to reduce statelessness but recommends also that the rights of older children to have a say in their own acquisition are safeguarded. A number of states already comply with these guidelines. Nearly every state has acquisition provisions for stateless persons (mode A23, discussed below), many of which pay special attention to minors (e.g. Switzerland, UK). Hungary provides for acquisition by stateless minors with five years residence if they either have been born in Hungary (also a practice in Austria, Estonia and Malta), or who have moved to Hungary while they were minors. With regard to the other CoE recommendation, states already require a minor child's consent in acquisition, particularly in the extension of naturalisation (mode A14), including Austria, the Czech Republic, Latvia, the Netherlands, Poland and Slovenia.

2.4 Recognised refugees (mode A22) and stateless persons (mode A23)

The final category of acquisition through naturalisation examined in this report concerns recognised refugees (mode A22) and stateless persons (mode A23). Persons who have been recognised as refugees are those to whom the status of refugee has been conferred by the country under consideration according to the country's asylum law and/or the Geneva

[32] Council of Europe, *Recommendation on Children in Nationality Law (CM/Rec 2009/13),* available at www.coe.int/t/dghl/standardsetting/nationality/default_en.asp (accessed 4 May 2010).

Refugee Convention, while stateless persons are not considered as citizens by any state under the operation of its internal law. There are similarities between these modes and previously discussed ones in the sense that states modify ordinary naturalisation provisions, including lowering residence requirements, administrative fees, membership requirements and renunciation requirements. The essential difference lies in the reasons for such facilitated access. In the other specially targeted modes of naturalisation there is a presumption of already existing stronger ties to the 'receiving country' either through socialisation or kinship ties with citizens. In contrast, by giving privileged access to citizenship to refugees and stateless persons, the state acknowledges a special duty to offer citizenship to persons who have been deprived of effective protection by another state. Such duties are also enshrined in international conventions, for example in Art. 34 of the 1951 Geneva Refugee Convention, which requires that 'The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees.' Both modes are presented in Table 9.

An important difference between the two categories discussed here together is that stateless persons may acquire citizenship of C1 either because of their circumstances of birth or later on through naturalisation. Rules for the acquisition of citizenship of otherwise stateless children born in the country are discussed in two other EUDO-Citizenship reports (de Groot and Vink 2010, Honohan 2010). We focus here on statelessness as a special reason for easier naturalisation.

Unlike in filial transfer and extension, there is no declaration (with the exception of acquisition by stateless persons in the UK) or automatic acquisition; all states use naturalisation by legal entitlement or discretion. Despite this exclusive use of naturalisation procedures, considerably less demanding material conditions compared with ordinary naturalisation should be interpreted as inclusive. Refugees in states without a designated route for refugees are still eligible to obtain citizenship through ordinary, residence-based naturalisation, but the process will typically be more difficult.

States typically lower residence requirements for refugees in a similar way as for spousal acquisition. Among states with acquisition procedures for recognised refugees, only the Czech Republic, Lithuania, Norway and Romania have equal residence requirements for ordinary naturalisations and recognised refugees. These requirements are adjusted to be lower than ordinary naturalisation and on par to spousal acquisition in Austria, Bulgaria, Finland, Greece, Hungary, Slovenia, higher than spousal acquisition but still below the ordinary naturalisation threshold in Denmark, Germany, Iceland, Italy, Lithuania, Moldova, Romania, Spain, Sweden, or lower than the spousal requirement in Belgium, France, Ireland, Slovakia. Countries with no modified route to citizenship for recognised refugees include Croatia, Estonia, Latvia, Malta, the Netherlands, Norway, Poland, Portugal, Switzerland, Turkey, and the UK. This does not mean that refugees cannot gain citizenship; there are merely no specific provisions that distinguish refugees as a category of applicants from those applying through ordinary, residence-based naturalisation.

A second significant difference between the naturalisation procedure for residence-based acquisition and for refugees is the requirement to renounce a second citizenship. Among the fifteen countries with a renunciation requirement, twelve have a specialised route to citizenship for refugees and each makes exceptions for renunciation. Bulgaria, Denmark, Germany, Lithuania, the Netherlands and Slovenia have unequivocal rights for refugees to keep a second citizenship, while the other countries allow for an exemption from renunciation only when 'renunciation is not possible' (Austria, Moldova), in cases of 'persecution' (Czech Republic) or 'for reasons of personal safety and where renunciation is legally or practically impossible' (Norway). In the case of Spain, where renunciation is officially required but not

enforced, there is no 'evidentiary requirement' of release. Luxembourg had an exemption to the renunciation requirement until it was abolished in 2009. In effect, all countries that have renunciation requirements for a second citizenship allow recognised refugees to maintain dual citizenship.

Despite the widespread waiving of the renunciation requirement, most states require similar material conditions for refugees as for ordinary, residence-based naturalisation. Austria, Bulgaria, Denmark, Germany, Hungary, Iceland, Italy, Lithuania, Luxembourg, Moldova, Romania, Spain and Sweden all keep existing language and country knowledge requirements. The Czech Republic, Finland and France are the only states that remove language assessment for refugees. Norway maintains an obligation for language requirement but with a legal right to free tuition. In spite of an explicit recommendation in Art. 34 of the Geneva Refugee Convention that 'Contracting States shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings,' fee reductions among the states with the highest administrative fees range from full exemption (Ireland), significant reduction (Greece provides a €600 total reduction, where refugees only pay €100 in fees), modest reduction (the Netherlands only provides a €50 reduction from its €567 administrative fee), to none (the UK).

Procedures for stateless persons are similar to those for recognised refugees. Modes A22 and A23 diverge only in a few exceptional cases. Austria has a higher residence requirement for stateless persons (ten years) than for refugees (six years), as well as a condition that the stateless person be born in Austria. Hungary is similarly disposed, with five years for stateless persons and three years for refugees. Inversely, Norway has a lower residence requirement for stateless persons (three years), but refugees have to meet the same condition as in ordinary naturalisation (seven years). Germany has discretionary naturalisation procedure for stateless persons – refugees naturalise under legal entitlement – but material conditions are the same. There are also a number of states that do not have specialised modes of acquisition for refugees but do have these for stateless persons, including Estonia, Malta, the Netherlands (where stateless persons can naturalise through legal entitlement after three years residence, on a par with spouses of citizens), Switzerland, Turkey and the UK.

2.5 Other modes of naturalisation: Conclusions

This extended review of naturalisation practices across other categories of applicants reveals a mixed picture with regard to the relative inclusiveness or exclusiveness of citizenship. In looking across non-ordinary naturalisation categories in the past decade, one can identify trends in both directions. In the inclusive direction, the Czech Republic (1999), Portugal (2006), Slovenia (2002) and Spain (2002) all added or reformed provisions for refugee and stateless persons, which are all generally more inclusive than ordinary naturalisation (with the exception of the Czech Republic, where the residence requirement is the same). The offering of special routes to citizenship for spouses and refugees – especially when residence conditions are lowered or renunciation is removed – is considerably inclusive, as adjusted conditions allow more persons to obtain citizenship.

In the restrictive direction, residence durations for spousal acquisition have been raised in Austria (2006), Denmark (2002), France (2006) and the UK (2010 proposal). Ireland also abolished acquisition through declaration for spouses (2002), preserving only discretionary naturalisation. Regarding socialisation-based acquisition, Germany (1999) and Luxembourg (2008) both abolished this mode and folded it into ordinary naturalisation by

legal entitlement, which has brought down the total number of countries with socialisation-based acquisition to twelve (ten in the EU). Indeed, the most far-reaching change to citizenship in the past decade, spanning a number of these categories of applicants, is the addition of substantive membership requirements for all categories of applicants (with only a small number of countries, such as Finland and the Netherlands, providing exemptions for minors). In the end, an indicator of exclusive policy is when specialised routes for acquisition are created that are, however, not substantively different from ordinary naturalisation. Spouses and refugees are often subject to the same language and country knowledge requirements, or have to meet similarly long residency requirements which, in the end, make these specialised routes redundant.

Picking out just one illustrative case, Austria exemplifies a mix of changes vis-à-vis special categories that can be read as simultaneous moves towards inclusion and exclusion. In the inclusionary direction, Austria's most recent 2010 amendment to naturalisation allows for minors with primary education to be exempt from language and country knowledge tests, as well as for registered partnerships to be treated equally to marital spouses. Austria also created in 2006 a legal entitlement for refugees to obtain citizenship, an inclusive improvement compared with earlier discretionary naturalisation. In the exclusionary direction, the 2006 change raised residence requirements for spouses. The past decade has also seen the progressive proliferation of membership requirements, with language assessment becoming increasing more difficult (in both 1999 and 2002, then in 2006 when language became a requirement for spouses) and the introduction of an integration exam (also in 2006). In sum, this case might read as indicative of the larger mixed trends through significant changes in both the inclusionary and exclusionary direction.

General Conclusions

By increasing the number of cases, categories of applicants and conditions of naturalisation, we see a diversity of inclusive and exclusionary naturalisation policy patterns across Europe. There has been some progress in the direction of inclusion, including Germany's and Greece's massive lowering of residence requirements, alongside nuanced changes in material conditions, namely the proliferation of membership requirements, that significantly counterweigh these openings.[33] Despite these mixed policy outcomes, there have been a number of policy areas that share similarity with regard to the direction of policy change. One such convergence is the increasing strength of individual judicial rights, including the justification of negative decisions and subsequent rights of appeals.

A second area of convergence, notable for the magnitude of change and not the scope of countries it covers, is the stricter and more prevalent use of membership requirements, including language skills and civic and integration tests. While the expansion of judicial rights is inclusive, and other policies, such as renunciation requirements, are unequivocally exclusionary, the interpretation of the membership criteria trend must be ambivalent. It would be cynical to deny that these serve real integration objectives. Learning a dominant language, facts about the host country and its public values makes a migrant more autonomous and flexible – and therefore better included – in a host society. However, when integration measures are merely additional conditions for acquisition, they have a compounding effect on the difficulty of naturalisation and can turn into mechanisms of exclusion. Given this dual

[33] While Greece has not yet adopted membership requirements to counterweight lower residency requirements, proposals for material conditions for citizenship acquisition include an integration test.

interpretation, the European Commission agenda of promoting the integration of immigrants from third countries may be at cross-purposes with member state policies when requirements are not oriented toward promoting access to citizenship under fair conditions.

The analysis of membership requirements illustrates that while we see small areas of convergence, the larger picture is one of persistence of differences in national policies. 21 EU member states have a language requirement, but only fourteen implicitly or explicitly require country knowledge. Moreover, the mechanisms of assessment (i.e. tests, interviews, civic courses) vary widely. A second area of persistent difference between states concerns residence requirements, which vary between three and ten years. Third, this report has compared administrative fees for citizenship across the EU to factor in, for the first time, the large difference they potentially make in the naturalisation process; some applications are free, some bear nominal administrative fees, while others can cost more than €1,000. Finally, in looking at the larger sample of countries, we witness differences in the toleration of dual citizenship, with 12 Member States still requiring the renunciation of a previous citizenship.

Expanding the comparative scope to look at the 2004 and 2007 EU accession states only reinforces this mixed picture. A robust majority do not allow for dual citizenship; all but four (Cyprus, Malta, Romania, Slovenia) require permanent residence status to apply for citizenship; and all but Latvia and Estonia establish easier procedures for spousal acquisition. Procedurally, there is also a majority that establish strong judicial rights. Justification of a negative decision and appeal possibilities are only absent in Bulgaria and Poland. (Hungary and Romania also have no right of appeal.) We see the prevalent policy of language requirements and a majority of countries requiring also country knowledge, with Bulgaria, Cyprus, Czech Republic, Malta, Poland and Slovenia as exceptions. Looking for differences, we find similar distinctions with regard to residency duration (varying from five to ten years) and fees (from €0 to €381). Here it is important to recall that while policy outcomes are similar to Western Europe, the intent of these polices may differ, particularly in allowing for dual citizenship or requiring language sufficiency, which are not meant to ensure the integration of culturally different immigrants, but privileged access for co-ethnics.

In conclusion, naturalisation is a dynamic process which integrates a number of state concerns about membership, domestic politics, and cost-benefit analysis of the undeniable role immigration plays in European economies and democracies. By increasing the range of cases and expanding the depth of conditions (both procedural and material) and categories (including spousal and filial acquisition as well as socialisation criteria, refugees, and stateless persons) for naturalisation, this report shows that naturalisation policies are dynamic and complex. We see traditionally liberal states with limited judicial rights and traditionally restrictive states with expansive rights. We find traditionally ethnic states that do not have membership requirements and traditionally civic states that do. And, finally, there are countries that make naturalisation for family members and refugees just as difficult as residence-based acquisition and countries that design more concessions for special statuses. These multiple empirical combinations reflect that states pursue multiple policy goals for citizenship and immigration and that governments more frequently modify these goals or the means to achieve them through reform of citizenship laws. And as states continue to use naturalisation to make citizens out of immigrants, the many policy choices that shape this procedure are consequential not just for the migrant but for the democratic nation-state itself.

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ANNEX

Table 1. Material Conditions for Residence-Based, Ordinary Naturalisation (Mode A06)

	Residence	Renunciation	Criminal record	Good character	Financial situation	Health	Language	Country knowledge	Integration	Oath of loyalty
AUT	10	Yes	Yes	General behaviour	Yes	No	Yes	Yes	Yes	Yes
BEL	3	No	Yes	No	No	No	No	No	No	Yes
BUL	5	Yes	Yes	No	Yes	Yes	Yes	No	No	No
CRO	5	Yes	Police check satisfies good character clause		No	No	Yes	Indirect	No	No
CYP	8	No	Yes		Implicit	Mental capacity	No	No	No	No
CZE	5	Yes	Yes	No	Indirect	No	Yes	No	In practice	Yes
DEN	9	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes
EST	8	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes
FIN	6	No	Yes; part of "integrity" requirement		Yes	No	Yes	No	No	No
FRA	5	No	Yes	Yes	Yes	Yes	Yes	Implied	Assimilation	No
GER	8	Yes	Yes	No	Yes	No	Yes	Yes	Vague	Yes
GRE	7	No	Yes	Yes	Tax statement	No	Yes	Yes	Through language	Yes
HUN	8	No	Yes	No	Yes	No	Indirect	Yes	No	Yes
ICE	7	No	Yes	Yes, 2 references	Yes	No	Yes	No	No	No
IRE	4	No	Good character implies criminal record check		Yes in practice	No	No	No	No	Yes
ITA	10	No	Implicit	No	Yes	No	No	No	No	Yes
LAT	5	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes
LIT	10	Yes	Criminal record with regard to interest of C1 taken into account		Yes	No	Yes	Yes	No	Yes
LUX	7	No	Yes	No	No	No	Yes	Yes	Through language	No

	Residence	Renunciation	Criminal record	Good character	Financial situation	Health	Language	Country knowledge	Integration	Oath of loyalty
MAL	5	No	Yes, covered in good character clause		No	No	Yes	No	Participation in social activities	Yes
MOL	10	Yes	Implicit	No	Yes	No	Yes	Yes	No	Yes
NET	5	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes
NOR	7	Yes	Yes	No	No	No	Yes	Yes	No	No
POL	5	Yes	Yes	No	In practice	No	No	No	Yes	No
POR	6	No	Yes	No	No	No	Yes	No	No	No
ROM	8	No	Yes, "good behaviour"		Implicit	No	Yes	Yes	Yes	Yes
SLK	8	No, with exceptions	Yes; demonstrative of good moral character		Implicit	?	Yes	Yes	?	Yes
SLN	10	Yes	Yes	No	Yes	No	Yes	No	No	Yes
SPA	10	Yes	Yes, implicit in "good civic conduct" clause		Implicit	No	Yes	No	Yes	Yes
SWE	5	No	Yes, under "respectable life" clause			No	No	No	No	No
SWI	12	No	Yes (cantonal), good character implied in criminal check		Yes (cantonal); Implicit (federal)	No	Implicit under integration	Yes	Yes	Variable
TUR	5	No	Yes, covered in "good moral standards" clause		Yes	Yes	Yes	No	Yes	No
UK	5	No	Good character implies criminal record check		No in practice	Mental capacity	Yes	Yes	No	Yes

Table 2. Residence Conditions for Ordinary Naturalisation (Mode A06)

	Years	Nature of Residence	Permanent Resident Status at Time of Application?
AUT	10	Uninterrupted, 5 years as permanent resident (since 2006)	Yes
BEL	3	Legal residence (since 2006); main residence during application; residence can be interrupted if "real links" to Belgium are kept	No
BUL	5	Acquired permanent residence permit at least 5 years before application	Yes
CRO	5	Uninterrupted, lawful residence immediately before application	No
CYP	8	Continuous, lawful residence for 12 months immediately prior to application, on top of 7 years immediately prior	No
CZE	5	Permanent residence; predominately in C1	Yes
DEN	9	Uninterrupted or continuous before application (permanent residence permit not required for this residency)	Yes
EST	8	8 years with a residence permit or the right of residence (of which at least the last 5 years are permanent)	Yes
FIN	6	Uninterrupted, permanently resident ("actual and principal residence") in C1; Or, 8 years since age 15 with last 2 uninterrupted	No
FRA	5	Uninterrupted ("stable and lasting residence")	No
GER	8	Habitual, legal residence	No
GRE	7	EU long-term residence permit, granted after 5 years of residence	Yes
HUN	8	Continuous	Yes
ICE	7	Not specified	Yes
IRE	4	4 years total residence within the last 8 years, with 1 year continuous residence immediately before application (student or asylum-based residence does not count)	No
ITA	10	Legal residence	No
LAT	5	Permanent residence	Yes
LIT	10	Uninterrupted residence across temporary and permanent statuses	Yes
LUX	7	Continuous permanent residence across temporary and permanent statuses	No

MAL	5	4 years residence within the last 6 years, plus 1 year uninterrupted residence immediately before application	No
MOL	10	Lawful and habitual residence	No
NET	5	Uninterrupted legal and main residence	No
NOR	7	7 years residence within the last 10 years with different resident and work permit statuses counting	Yes
POL	5	On the basis of one of three permanent residence permits (permit to settle, permit for EC residents, permit for EU residents)	Yes
POR	6	Legal residence	No
ROM	8	Continuous, stable and legal residence	No
SLK	8	Either uninterrupted 8 years permanent residence immediately before application	Yes
	10	or 10 years uninterrupted residence and permanent residence status at application	Yes
SLN	10	Five years with a settled status of alien (either temporary or permanent) and uninterrupted	No
SPA	10	Legal and uninterrupted	No
SWE	5	Residence across permanent residence permit (PUT) and temporary residence permit for settlement (UT) statuses	Yes
SWI	12	12 years overall legal residence across permanent, annual or temporary resident statuses,3 years of which must fall within the last 5 years before application	No
TUR	5	Uninterrupted residence	? (“residence permit in accordance with the Civil Code”)
UK	5	Permanent residence (“Indefinite Leave to Remain”) on the day of application	Yes

Table 3. Renunciation of Prior Citizenship as a Requirement for Naturalisation in C1

Renunciation Requirement	
Yes	No
European Union	
Austria	Belgium
Bulgaria	Cyprus
Czech Republic	Finland (2003)
Denmark	France
Estonia	Greece
Germany*	Hungary
Latvia	Ireland
Lithuania	Italy (1992)
Netherlands**	Luxembourg (2008)
Poland***	Malta
Slovenia****	Portugal
Spain*****	Romania
	Slovakia
	Sweden (2001)
	UK
Non-EU	
Croatia	Iceland
Moldova (2002)	Switzerland
Norway	Turkey

*Not for citizens of other EU member states (since 2007)
** Not between 1992 and 1997. After 1997: exemption for persons born in the Netherlands and for spouses of Dutch citizens
*** In practice, renunciation is requested discretionarily and performed in low numbers
****Not for citizens of other EU member states where there is reciprocity
***** In practice, no evidence of renunciation is required.

Table 4. CEFR Levels in Language Tests for Naturalisation

BASIC USERS		INDEPENDENT USERS		PROFICIENT USERS
A1	**A2**	**B1**	**B2**	**C1**
FRA	AUT	CZE	CRO	--
	ICE	EST	DEN	
	LUX (speaking)	FIN		
	NET	GER		
	POR	LAT		
	SPA (reading, writing)	LUX (listening)		
		MOL		
		SPA (listening, speaking)		
		SWI		
		UK		

Table 5. Procedural Conditions for Ordinary Naturalisation (mode A06)

	Discretionary or entitlement	Authority for checking conditions	Maximum processing time specified?	Decision-taking authority	Justification of negative decisions?	Appeal of negative decision possible?	Fee
AUT	Discretionary	Government of province in which TP resides	6 months after receiving application *(Longer in reality since conditional on release from prior citizenship)*	Government of province in which TP resides	Yes	Yes *(To recommend to provincial government for new decision)*	€1010 plus varying provincial fees
BEL	Discretionary	House of Representatives	No	House of Representatives	No	No	Free with possible stamp duty
BUL	Discretionary	Ministry of Justice	12 mo	President, authority delegated to Vice President	No	No	250 Leva *(≈ €130)*
CRO	Entitlement	Ministry of Interior	No	Ministry of Interior	Yes	No	€203
CYP	Discretionary	Civil Registry and Migration Department; Office of District	No	Naturalisation Department (Ministry of Interior)	No	Yes	200 CYP *(≈ €345)*
CZE	Discretionary	Police; Ministry of the Interior	3 mo with interruptions	Ministry of the Interior	Yes	Yes	10,000 CZK *(≈ €381)*
DEN	Discretionary	Police (documentation); Ministry of Integration	No	Parliament (Parliamentary Standing Committee on Nationality)	No *(In practice, negative decisions are normally reasoned by Parliament).*	No	1000 DKK *(≈ €134)*
EST	Entitlement	Citizenship and Migration Board	3 mo with CMB *(No limit on government decision)*	Government of the Republic of Estonia	Yes *(In practice only)*	Yes	200 EEK *(≈ €13)*
FIN	Discretionary	Finnish Immigration Service	No	Finnish Immigration Service	Yes	Yes	€400

	Discretionary or entitlement	Authority for checking conditions	Maximum processing time specified?	Decision-taking authority	Justification of negative decisions?	Appeal of negative decision possible?	Fee
FRA	Discretionary	*Préfecture*; Ministry of Immigration, Integration, National Identity and Solidarity Development	18 mo after initial processing	Ministry of Immigration, Integration, National Identity and Solidarity Development	Yes	Yes	None
GER	Entitlement	Varies across *Länder*	No, but indirect regulation as applicant can take action after 3 mo	Varies across *Länder*	Yes	Yes	€255
GRE	Discretionary	Ministry of Interior; Secretary General of the Region	12 mo	Ministry of Interior	Yes	Yes	€700
HUN	Discretionary	Minister of the Justice; Law Enforcement	No	President of the State	Yes	No	None
ICE	Discretionary	Ministry of Justice	No	Ministry of Justice makes administrative decision; Parliament if unclear whether all conditions have been met	No	No	10,000 ISK *(≈ €55)*
IRE	Discretionary	Irish Naturalisation and Immigration Service (Minister for Justice, Equality and Law Reform)	No	Minister for Justice, Equality and Law Reform	No *(In practice, explanation is an uncontested precedent)*	No *(Only judicial review by the High Court)*	€950
ITA	Discretionary	Prefect; Ministry of the Interior	24 mo	President of the Republic, after consultation of the Council of State, on the recommendation of the Minister of the Interior	Yes	Yes	Variable (between €80 and €200)

	Discretionary or entitlement	Authority for checking conditions	Maximum processing time specified?	Decision-taking authority	Justification of negative decisions?	Appeal of negative decision possible?	Fee
LAT	Discretionary	Naturalisation Board; Cabinet of Ministers	12 mo	Cabinet of Ministers	Yes for Naturalization Board; No for Cabinet decision	Yes *(Decision of Board can be appealed in administrative courts)*	20 LVL *(≈ €28)*
LIT	Discretionary	Citizenship Commission; Department of Migration (Ministry of Interior)	3 mo	President of the Republic	Yes	Yes	None
LUX	Discretionary	Ministry of Justice	8 mo	Ministry of Justice	Yes	Yes	None
MAL	Discretionary	Department for Citizenship and Expatriate Affairs; Ministry of Foreign Affairs	No	Ministry of Foreign Affairs	No	No	€104.82
MOL	Discretionary	Ministry of Information Development; Ministry of Internal Affairs; Information and Security Service	12 mo	President	Yes	Yes	90 MDL *(≈ €5)*
NET	Entitlement	Mayor (municipality)	12 mo *(Can be extended twice for 6 mo periods)*	Minister of Justice (Immigration and Naturalisation Service)	Yes	Yes	€567
NOR	Discretionary	Norwegian Directorate of Immigration	No	Norwegian Directorate of Immigration	Yes	Yes	2500 NOK *(≈ €316)*
POL	Discretionary	Province (Voivod); Minister of Internal Affairs	No	President	No	No	5 zl filing *(≈ €1),* plus €60

	Discretionary or entitlement	Authority for checking conditions	Maximum processing time specified?	Decision-taking authority	Justification of negative decisions?	Appeal of negative decision possible?	Fee
POR	Entitlement	Central Civil Registry Office	3.5 mo for various stages of administrative processes *(No limit on ministerial decision)*	Minister of Justice	Yes	Yes	€175
ROM	Discretionary	Commission of Citizenship (Ministry of Justice)	No	Council of Ministers	?	No	4.5 RON *(≈ €1)*
SLK	Discretionary	Ministry of Interior	24 mo	Ministry of Interior	?	?	?
SLN	Discretionary	Administrative Unit of TP's residence	2 months after Administrative audit	Ministry of the Interior (revises Administrative unit decision)	Yes	Yes	€150
SPA	Entitlement	Judge in charge of the Civil Register where the person is residing; sometimes also General Directorate of the Registrars and Notaries	12 mo *(In practice, not enforced)*	Department of Justice after proposal by General Directorate	Yes	Yes	None
SWE	Discretionary	Swedish Migration Board	No	Swedish Migration Board	Yes	Yes	1500 SEK *(≈ €146)*
SWI	Discretionary	Federal conditions by Federal Office for Migration, cantonal and local authorities (varies by canton and municipality)	No	Cantonal authority	Yes	Yes	400 CHF *(≈ €286)* for federal; cantonal and local fees vary
TUR	Discretionary	Ministry of Interior	6 mo (excluding missing documents and security check)	Council of Ministers (Cabinet) based on recommendation by Ministry of Interior	Yes	Yes, to the Council of State	10 TRY *(≈ €4.75)*

	Discretionary or entitlement	Authority for checking conditions	Maximum processing time specified?	Decision-taking authority	Justification of negative decisions?	Appeal of negative decision possible?	Fee
UK	Discretionary	Secretary of State (Home secretary)	No	Secretary of State	Yes	No *(Only judicial review is possible)*	720 GBP *(≈ €800)*

Table 6. Socialisation-based Acquisition (mode A07)

	Procedure	Age of Applicant	Residence in C1	Education in C1 Criteria
BEL	Declaration	18-22	At least 1 year before age 6 and at least 1 year preceding application	Not specified
DEN	Naturalisation (discretionary)	18	Residence in C1 since 14 years of age	Education in C1 and of a Danish nature or professional education in C1 (of 3 years duration) with 4 years residence
FIN	Declaration	18-23	10 years with last 2 uninterrupted (residence in Nordic C2 for 5 years and before age 16 is equivalent); 6 years if born in C1	Not specified
FRA	Declaration	Minor up to 18	5 years if raised by citizen of C1 (3 if raised by French welfare institution)	Not specified
			Not applicable	French education for 5 years in a French school or institution (public or private)
GRE	Declaration	18 – 21, or minority if joint with parents	Permanent residence during period of school attendance	At least six school grades
ICE	Declaration	18 or 19	Resident since age 11 (13 for stateless; 16 for Nordic)	Not specified
LAT	Declaration	Not specified (extension of acquisition under 15)	Permanent residence, where TP is stateless or renounces citizenship of C3	Full school education in Latvia
NET	Declaration	18 and over	Lawful and main residence in C1 since age 4	Not specified
NOR	Naturalisation (discretionary)	21-23	Arrives as a minor and is resident for 5/7 years	Not specified
POR	Naturalisation (entitlement)	Minor	Born in C1; length of schooling implied for residence	Completion of elementary school
SLK	Naturalisation (discretionary)	18	3 years as a minor	Not specified
SLN	Naturalisation (entitlement)	?	Not applicable	Attended and successfully completed at least higher education in C1 for at least 7 years continuously, and at least 1 year before application
SWE	Declaration	Minor up to 18	5 years (3 if stateless)	Not specified
		18 or 19	Since age 13 (since 14 if stateless) with permanent residence permit	Not specified

Table 7. Spousal Modes of Acquisition (modes A08 and A13)

	Spousal Transfer (A08)							Spousal Extension (A13)	
	Procedure	**Residence (years)**	**Marriage duration (years)**	**Renunciation**	**Differences from A06 Material Conditions**	**RP criteria**	**Same-sex equality**	**Eligibility Requirements**	**Other A06 conditions apply?**
AUT	Naturalisation (entitlement)	6	5 with common household	Yes	Lower fee (€810)	Citizen of C1	Yes, partnership must be registered (as of 2010)	6 years residence with common household, married 5 years, unless RP acquires through A24 (also no renunciation)	Yes
BEL	Declaration	3, with 6 months of common household	None	No	No	None	Yes (since 2004)	3 years common household, or 6 months with three years residence prior	Yes
BUL	Naturalisation (discretionary)	3	3	Yes	No	Citizens of C1	No	–	–
CRO	Naturalisation (discretionary)	5	None	No	No language or country knowledge, but indirect integration	None	No	RP acquires citizenship through A21 or A24; joint application.	Yes
CYP	Registration	3	3	No	No	None	No	–	–
CZE	Naturalisation (discretionary)	5	Not specified	Yes	Residence can be waived	None	No	–	–
DEN	Naturalisation (discretionary)	6	3 with common household	Yes	No	Citizen for 3 years	Yes	–	–
		7	2 with common household						
		8	1 or co-habitation						

	Spousal Transfer (A08)							Spousal Extension (A13)	
	Procedure	**Residence (years)**	**Marriage duration (years)**	**Renunciation**	**Differences from A06 Material Conditions**	**RP criteria**	**Same-sex equality**	**Eligibility Requirements**	**Other A06 conditions apply?**
EST	–	–	–	–	–	–	–	–	–
FIN	Naturalisation (discretionary)	3 with common household or co-habitation	None	No (since 2003)	No	None	Yes	–	–
FRA	Declaration	4	4 with common household in France	No	Language level raised to B1	Kept C1 citizenship through residence	No		
		If less than three years uninterrupted residence in France:	5 years of marriage						
GER	Naturalisation (entitlement)	3	2 with common household	Yes	No	No	Yes	RP acquires citizenship through A06; 8 years residence.	Yes
GRE	Naturalisation (discretionary)	3	3 with common household	No	No	No	No	–	–
		1	1			Diplomatic officer			
HUN	Naturalisation (entitlement)	3	3 with common household	No	No	None	No	–	–
ICE	Naturalisation (discretionary)	3, 5 for registered partnership	3	No	No language	Citizen of C1for 5 years	Yes	–	–

	Spousal Transfer (A08)							Spousal Extension (A13)	
	Procedure	**Residence (years)**	**Marriage duration (years)**	**Renunciation**	**Differences from A06 Material Conditions**	**RP criteria**	**Same-sex equality**	**Eligibility Requirements**	**Other A06 conditions apply?**
IRE	Naturalisation (discretionary)	2 out of last 4, last year without interruption in C1	3 with common household	No	No oath	Citizen for 3 years, non-naturalized	No	–	–
ITA	Naturalisation (entitlement)	None	3	No, except for citizens of DEN, SWE, LUX, BEL	No	None	No	–	–
		2	2						
LAT	Naturalisation (discretionary)	5	10	Yes	No	None	No	–	–
LIT	Naturalisation (discretionary)	7	7	Yes *(unless they have refugee status in C1)*	No	Citizen of C1	No	–	–
		5	5			Deportee, political prisoner			
		5	Not specified			Deceased, but resident of C1 for 1 year			
LUX	–	–	–	–	–	–	–	–	–
MAL	Naturalisation (entitlement)	5 (Implied)	5	No	No language	None	No	–	–
		None	None			RP acquired citizenship through exceptional service (mode A24)			

	Spousal Transfer (A08)							Spousal Extension (A13)	
	Procedure	**Residence (years)**	**Marriage duration (years)**	**Renunciation**	**Differences from A06 Material Conditions**	**RP criteria**	**Same-sex equality**	**Eligibility Requirements**	**Other A06 conditions apply?**
MOL	Naturalisation (discretionary)	None	3	Yes	No	No	No	–	–
NET	Declaration	15	3 or common household	No	Ceremony but no test	None	Yes	–	–
	Naturalisation (entitlement)	No for spouses; yes (3 years) for sustained relationships or registered partners			Lower fee	Citizen of C1 at time of application			
NOR	Naturalisation (discretionary)	3	7 with common household	Yes	No	Citizen of C1	No	–	–
POL	Declaration	None	3	No	Authorities have to justify negative decision and TP has right of appeal	None	No	–	–
POR	Declaration	None	3	No	No effective connection to community requirement	Must be citizen for 3 yrs of marriage	Yes	–	–
ROM	Naturalisation (discretionary)	5, common household	5	No	?	?	No	?	?
SLK	Naturalisation (discretionary)	5, common household	?	No	?	?	?	–	–
SLN	Naturalisation (discretionary)	At least 1	3	Yes	No	No	No	–	–

	Spousal Transfer (A08)							Spousal Extension (A13)	
	Procedure	**Residence (years)**	**Marriage duration (years)**	**Renunciation**	**Differences from A06 Material Conditions**	**RP criteria**	**Same-sex equality**	**Eligibility Requirements**	**Other A06 conditions apply?**
SPA	Naturalisation (entitlement)	1	1	Yes	No	No	No	–	–
SWE	Naturalisation (discretionary)	3	2	No	No	Citizen of C1 for 2 years prior	Yes	–	–
		None, residence abroad	10						
SWI	Naturalisation (discretionary)	3	3	No	Language level lowered from A06	Citizen of C1 before marriage	No	–	–
		None, residence abroad	6						
TUR	Automatic	3	3 living in family unity	No	No language or integration	None	No	–	–
UK	Naturalisation (discretionary)	3	3	No	Lower fee	Citizen of C1 on day of application	Yes	–	–

Table 8. Filial Modes of Acquisition (modes A09 and A14)

	Filial Transfer (A09)			Filial Extension (A14)		
	Procedure	**RP criteria**	**Other Material conditions**	**Procedure**	**RP criteria**	**Other Material Conditions**
AUT	–	–		Naturalisation	Father or mother acquires Austrian citizenship of C1 by naturalisation; if not married, father can establish paternity and share custody	TP resides in C1 with permanent residence permit; Other conditions: see A06.
BEL	Naturalisation (discretionary)	One parent must be a citizen of C1.	TP is aged 18 or older and was born abroad.	Automatic	Citizen of C1	TP is an unmarried minor
BUL	Automatic	RP parents have naturalised in C1.	If TP is aged 14-18, consent is required.	–	–	–
CRO	–	–	–	Naturalisation (entitlement)	Both parents acquire citizenship by naturalisation	TP should either reside in C1 or parent should be stateless or of unknown citizenship; joint application with RP
CYP	Naturalisation (discretionary)	Parent or guardian is citizen of C1.	TP is a minor.	–	–	–
CZE	–	–	–	Naturalisation	Parent acquires citizenship through naturalisation and mentions TP in application	If TP is under 16, legal consent required. Renunciation of citizenship of C3.
DEN	–	–	–	Naturalisation	Parent acquires citizenship of C1	TP is resident, unmarried minor; Other conditions: see A06.
				Declaration	RP is citizen of C2 or former citizen of C1;	Renunciation of citizenship, unless the other parent retains his/her citizenship of C1 and shares custody of the child.

	Filial Transfer (A09)			Filial Extension (A14)		
	Procedure	**RP criteria**	**Other Material conditions**	**Procedure**	**RP criteria**	**Other Material Conditions**
EST	Naturalisation (discretionary)	Parents are citizens of C1 and apply on behalf of TP	Minor under 15; permanently resides in C1; renunciation requirement	Naturalisation (discretionary)	Parent acquires citizenship of C1 and mention minor in application	Minor under 15; permanently resides in C1; renunciation of C3 citizenship
FIN	Naturalisation (discretionary)	Citizen of C1 and applies for minor under age 15	Minor lives with RP; permanent residence; no language req.	Naturalisation (discretionary)	RP is applying for citizenship through naturalisation in C1 and mentions minor under age 15 in application	Minor is under 15 and resident in C1; no language requirements; Other conditions: see A06.
		For minors aged 15, 16, or 17	Permanent residence; 4 years uninterrupted residence or a total of 6 years since age 7 (If child is from Nordic country, 2 years residence). See A06 for other conditions.		RP is applying for citizenship through naturalisation in C1	Minor is 15, 16, or 17, permanent residence in C1 for previous 4 years without interruption, or a total of 6 years since age 7; Other conditions: see A06.
FRA	–	–	–	Naturalisation	Parents acquire citizenship through naturalisation, reintegration, or declaration	Resident with parent in C1
GER	–	–	–	Naturalisation (discretionary)	RP parent acquires citizenship by C1 of naturalisation	Minor child with entitlement to permanent residence; Other conditions: see A06.
GRE	–	–	–	Automatic	RP parent acquires citizenship by A06	Unmarried minor
HUN	–	–	–	–	–	–
ICE		–	–	Declaration	Father or mother (with custody over TP) acquires citizenship of C1 by declaration (modes A07 or A16)	Unmarried minor, resident in C1
IRE		–	–	Naturalisation (discretionary)	RP is applying for citizenship through naturalisation and includes minor in application	Minor is resident in C1 for 3 years.
ITA	–	–	–	Automatic	RP is acquiring citizenship through naturalisation	Minor resides with RP

	Filial Transfer (A09)			Filial Extension (A14)		
	Procedure	**RP criteria**	**Other Material conditions**	**Procedure**	**RP criteria**	**Other Material Conditions**
LAT	–	–	–	Registration	Father or mother acquires citizenship in C1	Minor TP is a permanent resident in C1; renunciation of prior citizenship. Consent required if TP is 14-18 years of age.
LIT	–	–	–	–	–	–
LUX	–	–	–	Automatic	RP is acquiring citizenship through naturalisation	TP is a minor
MAL	–	–	–	–	–	–
MOL	Naturalisation (discretionary)	Parent is citizen of C1	3 years residence with parent; Other conditions: see A06.	Automatic	RP acquires citizenship of C1 through reacquisition or naturalisation	TP is under 18 and born to RP
NET	Declaration	At least one parent is a citizen of C1 who raises TP for 3 years	Minor included under joint custody of two RP (one of which is a citizen of C1); TP residence is not in C3 of which they hold citizenship	Naturalisation (discretionary)	RP parents acquires citizenship of C1 by naturalisation and mentions minor in application .	TP is resident in C1 for 3 years immediately before application; no language and integration requirements; Other conditions: see A06. If TP is 16 or 17, explicit consent required.
				Declaration	RP parents acquires citizenship of C1 by declaration and TP is mentioned in confirmation of declaration	TP is resident in C1. If TP is 16 or 17, explicit consent required.
NOR	Naturalisation (discretionary)	Not specified	TP is minor with 2 years residence in C1, with work or residence permit; Other conditions: See A06.	Discretionary	RP parents acquires citizenship of C1 by naturalisation	TP is minor resident in C1 for 2 years; renunciation of C3 citizenship. Other conditions: see A06.
				Automatic	RP are citizens of C2 (Nordic states)	Unmarried resident minor is citizen of C2; Renunciation of C2 citizenship
POL	–	–	–	Discretionary	RP parents are both citizens of C1, or if one parents is citizen of C1 and other gives consent	Minor is over 16; must give consent
				Automatic		Minor is under 16

	Filial Transfer (A09)			Filial Extension (A14)		
	Procedure	**RP criteria**	**Other Material conditions**	**Procedure**	**RP criteria**	**Other Material Conditions**
POR	Declaration	RP acquires citizenship of C1	TP is a minor or incapacitated adult	–	–	–
ROM	–	–	–	?	?	?
SLK	Naturalisation (discretionary)	Legal guardian is citizen of C1; 2 years residence	Minor, resident for 2 years	Automatic	RP parents acquires citizenship of C1 by naturalisation and TP is mentioned in application	TP is under 14
SLN	–	–	–	Naturalisation (discretionary)	One or both parents naturalized and is resident in C1	Minor resident in C1 for at least 1 year; consent required before age 14
SPA	Declaration	Citizen of C1 with legal guardianship of minor in need of protection	See A06.	–	–	–
	Naturalisation (entitlement)	Citizen of C1 or public institution	Guardianship for 2 years with 1 year residence; Other conditions: see A06.			
SWE	Automatic	RP (mother) is a citizen of C3 and marries citizen ofC1	Minor	Declaration	RP parent acquires citizenship of C1 by declaration; If one parent is a citizens of C3, only if that parent also acquires citizenship of C1	TP is unmarried minor
				Naturalisation (entitlement)	TP parent acquires citizenship of C1 by naturalisation	TP is unmarried minor
SWI	Naturalisation (discretionary)	Parents naturalised but did not include minor in application	Under 22 years of age and resident for 5 years; Other conditions: see A06.	Naturalisation (discretionary)	RP parent acquires citizenship of C1 by naturalisation but excludes minor from application	TP is under 22 years of age; resident in C1 for 2 years; Other conditions: see A06.

	Filial Transfer (A09)			Filial Extension (A14)		
	Procedure	**RP criteria**	**Other Material conditions**	**Procedure**	**RP criteria**	**Other Material Conditions**
TUR	Naturalisation (entitlement)	Parent acquired citizenship by naturalization	Minor	Declaration	RP acquires citizenship of C1 and other parent consents to TP's acquisition	Minor
UK	Registration	Parent acquires citizenship of or becomes settled in C1	Minor, born in C1, good character (over age 10)	Naturalisation (discretionary)	RP parent acquires citizenship of C1by naturalisation	TP is under 18 years of age; good character (over age 10).

Table 9. Acquisition for Recognised Refugees (Mode A22) and Stateless Persons (Mode A23)

	Recognised Refugees (A22)				Stateless person (A23)
	Type of Naturalisation	**Residence**	**Exempt from Renunciation Requirement?**	**Other A06 material conditions?**	**Different Requirements?**
AUT	Entitlement	6 years	No, only where renunciation is not possible	Yes, including language and citizenship test	Born in C1 and stateless since birth; residence C1 for 10 years; apply at age 18 or 19
BEL	Discretionary	2 years	n/a	Yes	Same as A22; Automatic if TP is born in C1 and becomes stateless before age 18
BUL	Discretionary	3 years	Yes	Yes, clean criminal record, income, and command of C1 language.	Same as A22, but holds a permanent residence permit
CRO	–	–	–	–	Renunciation exemption only if otherwise stateless
CYP	–	–	–	–	?
CZE	Discretionary	5 years (can be waived)	Proof not required in cases of persecution	Permanent residence status, clean criminal record	Same as A22
DEN	Discretionary	8 years	Yes	Yes, including language and knowledge of society and good conduct.	Same as A22
EST	–	–	–	–	Born and resident in C1 and both parents are stateless and have resided in C1 for 5 years; minor under 15

	Recognised Refugees (A22)				Stateless person (A23)
	Type of Naturalisation	**Residence**	**Exempt from Renunciation Requirement?**	**Other A06 material conditions?**	**Different Requirements?**
FIN	Discretionary	4 years without interruption, or 6 years since age 15 with last 2 uninterrupted	n/a	Yes, but not language	Same as A22
FRA	Discretionary	Exempt	n/a	Yes, but not language	Same as A22; but exemption from language only after 15 years residence
GER	Entitlement	6 years	Yes	Yes	Same as A22; but procedure is discretionary
GRE	Discretionary	3 years	n/a	Yes	Same as A22
HUN	Entitlement	3 continuous years	n/a	Yes, including language, knowledge test, and good conduct	Born in C1 or moved while a minor; resident for 5 years (3 continuous); By declaration if TP is under 19years of age and resident in C1 for 5 years
ICE	Discretionary	5 years	n/a	Yes	–
IRE	Discretionary	Discretionary exemptions	n/a	Discretionary exemptions	Same as A22
ITA	Discretionary	5 years	n/a	Yes, including language, employability, and good conduct	Same as A22
LAT	–	–	–	–	–
LIT	Discretionary	10 years	Yes	Yes, including language and country knowledge exams	–
LUX	Discretionary	7 years	n/a	Yes	–
MAL	–	–	–	–	Born in C1 and stateless or born to a citizen of C1 and resident for 5 years; no criminal convictions

	Recognised Refugees (A22)				Stateless person (A23)
	Type of Naturalisation	**Residence**	**Exempt from Renunciation Requirement?**	**Other A06 material conditions?**	**Different Requirements?**
NET					Entitlement if TP is stateless and resident for 3 years
NOR					3 years residence
POL	–	–	–	–	5 years as a permanent resident, no renunciation, procedure of 'acknowledgement'
POR	–	–	–	–	–
ROM	Discretionary	Regular 8 year requirement can be halved	n/a	Yes, including language and country knowledge, and good conduct	?
SLK	Discretionary	4 years	n/a	Asylum seeker	–
SLN	Discretionary	5 years, uninterrupted	Yes	Yes	Same as A22
SPA	Entitlement	5 years, uninterrupted and legal	Not formally, but implicitly yes as there is no evidentiary requirement	Yes	–
SWE	Discretionary	4 years	n/a	Yes, including good conduct	Same as A22
SWI	–	–	–	–	Stateless minor and resident in C1 for 5 years
TUR	–	–	–	–	Stateless woman included in husband's application for naturalisation
UK	–	–	–	–	Declaration, TP is born outside C1, stateless since birth, and born to citizen of C1; resident for 3 years

EUDO Citizenship Observatory | Robert Schuman Centre for Advanced Studies | European University Institute
Via dei Roccettini, 9 • 50014 San Domenico di Fiesole • Italy