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ACCESS TO CITIZENSHIP  
AND ITS IMPACT ON  
IMMIGRANT INTEGRATION

HANDBOOK FOR GERMANY

# ACCESS TO CITIZENSHIP AND ITS IMPACT ON IMMIGRANT INTEGRATION

## HANDBOOK FOR GERMANY

Prepared by the Migration Policy Group in coordination with the Heinrich-Boell-Foundation.

**Editor:** Jasper Dag Tjaden (Migration Policy Group)

This report was produced in the context of the project '**Access to Citizenship and its Impact on Immigrant Integration (ACIT)**' co-funded by the European Fund for the Integration of Non-EU immigrants (European Commission Grant Agreement: HOME/2010/EIFX/CA/1774).

*We like to thank all reviewers, including Iseult Honohan (University College Dublin), Kristen Jeffers (University College London), Mekonnen Mesghena (Heinrich-Boell-Foundation), Narod Cahsai (Heinrich-Boell-Foundation), and the EUDO country expert for citizenship procedures Anuscheh Farahat.*

## INTRODUCTION

The project ‘[Access to Citizenship and its Impact on Immigrant Integration \(ACIT\)](#)’ funded by the European Fund for the Integration of Non-EU immigrants provides a new evidence base for comparing different elements of citizenship in Europe.

The five consortium partners (the European University Institute, the Migration Policy Group, University College Dublin, University of Edinburgh and Maastricht University) have developed **four sets of citizenship indicators** on citizenship laws, their implementation, shares of citizenship acquisition and its impact on integration for all 27 EU Member States, accession candidates (Croatia, Iceland, Former Yugoslav Republic of Macedonia, Turkey) and European Economic Area countries (Norway, Switzerland).

The outcomes of this research were presented to politicians, civil servants, members of civil society and academics in ten EU Member States (Austria, Estonia, France, Germany, Hungary, Ireland, Italy, Portugal, Spain, and the United Kingdom) in order to **use this information to improve their policies and practices**. Citizenship stakeholders were asked to share their insights about which factors influence naturalisation rates, on the impact of citizenship on integration, on past and future policy changes and on the political environment for citizenship reform. These ‘**national roundtables**’ were a key element of this research as the national stakeholders had the opportunity to interpret the results and give meaning to the numbers.

The Migration Policy Group produced this **handbook** based on the results from the citizenship indicators and the responses of national stakeholders at the national roundtable. It provides a snapshot of how the vast amount of data of this project can be used for national policy debates. All citizenship stakeholders, be they policymakers, academics, non-governmental organisations or others, can go online and create their own graphs, dig into the data and use this information for presentations, debates or publications. All the results are accessible through an **interactive online tool and comparative reports** at <http://eudo-citizenship.eu/indicators>.<sup>1</sup>

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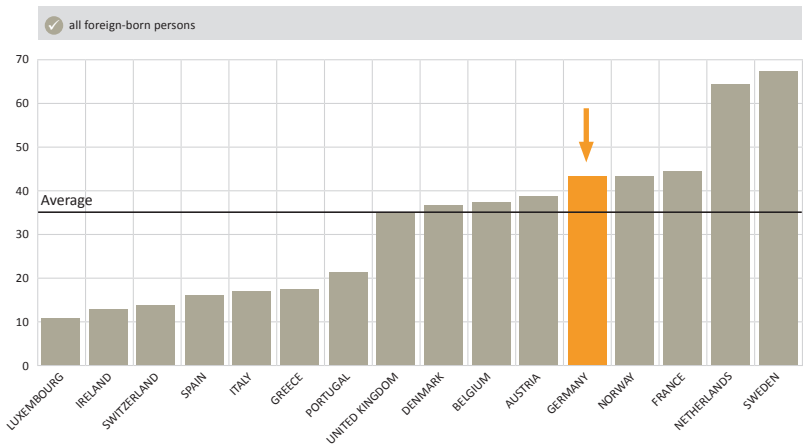
<sup>1</sup> For more information on the background and methodology see appendix and visit <http://eudo-citizenship.eu/indicators>. For a more comprehensive overview of German citizenship laws and procedures see the EUDO country profile at <http://eudo-citizenship.eu/country-profiles/?country=Germany>.

# 1. CITIZENSHIP ACQUISITION INDICATORS: WHO BECOMES A CITIZEN?

How likely are foreign born immigrants to become citizens in Europe and how long does it take them? Citizenship Acquisition Indicators measure the share of foreign-born immigrants (aged 16-74) in 2008 that have acquired citizenship as well as the number of years (between arrival in the country of residence and the acquisition of citizenship).<sup>2</sup>

**Overall, 43% of foreign born immigrants have become citizens in Germany.** This share is above the EU-15 average of 34%. The acquisition of citizenship varies considerably across the EU. Between 60% and 70% of foreign-born immigrants are citizens in Sweden and the Netherlands compared to below 15% in Switzerland, Ireland and Luxembourg.

## Share of naturalised persons among first generation in EU-15, Switzerland and Norway in 2008



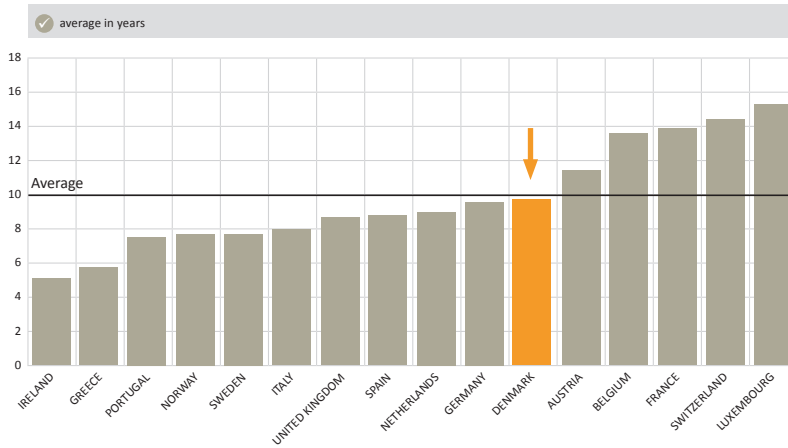
Source: <http://eudo-citizenship.eu/indicators>

**It takes foreign-born immigrants on average nine and a half years to become citizens in Germany which is close to the average number of years in EU-15 countries.**<sup>3</sup> In EU-15 countries, Norway and Switzerland, it takes on average 10 years. Foreign born immigrants in Belgium, France, Switzerland, and Luxembourg take around 14 years to acquire citizenship compared to less than six years in Greece and Ireland.

<sup>2</sup> See methodological appendix for more information.

<sup>3</sup> This includes all foreign born immigrants regardless of their country of origin.

## Speed of naturalisation in EU-15, Switzerland and Norway



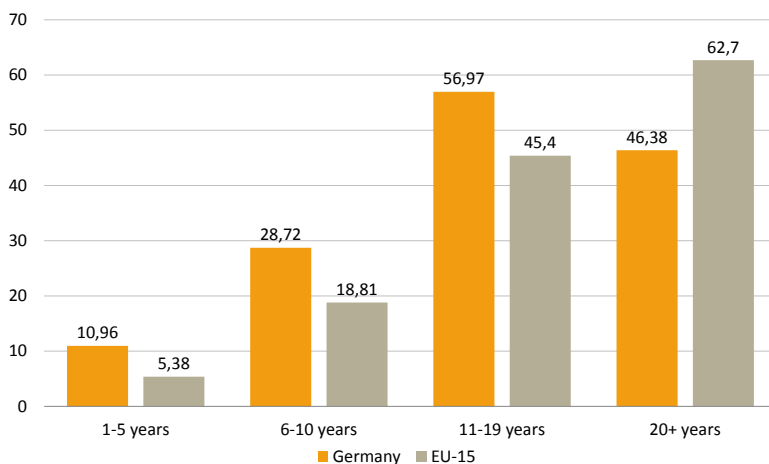
Source: <http://eudo-citizenship.eu/indicators>

What explains why immigrants become citizens in Europe and how much time it takes? The analysis concludes that residence, immigrants' country of origin, gender, background (education, employment and family status among others), and policies are determining factors to apply for citizenship.

Firstly, **residence matters**: One reason for the rather average share of naturalised persons in Germany is the country's comparatively long-settled first-generation population. Our multivariate analysis<sup>4</sup> shows that **the longer immigrants have settled in a country, the more likely they are to become citizens**. To some degree, Germany is an exception to the trend. The share of foreign born immigrants that are citizens actually decreases for the long-settled immigrant population resident of over 20 years.

4 See Vink, M./ Prokic-Breuer, T./ Dronkers, J. (2013): Immigrant naturalization in the context of institutional diversity: policy matters, but to whom? [International Migration](#) [forthcoming].

## Shares of citizenship acquisition by residence for Germany, 2008 (%)

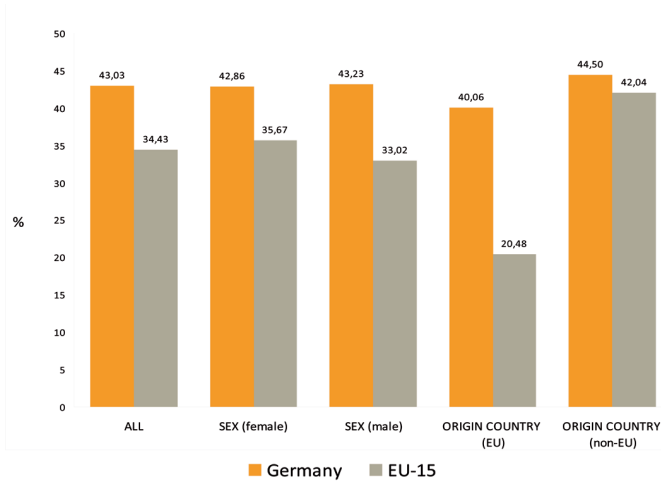


Source: <http://eudo-citizenship.eu/indicators>

Secondly, **immigrants' background plays a major role**. Another reason behind the average share of naturalised persons in Germany is the large share of immigrants coming from low- or medium-developed countries. People born in developing countries tend to naturalise in Europe in general and also in Germany. The foreign born population that immigrated from less economically developed countries tend to naturalise more often in Europe than immigrants from higher developed countries. Immigrants coming from medium and under-developed countries are on average 2.5 times more likely to be citizens than those coming from highly developed countries. Immigrants from less developed countries also take longer to acquire citizenship than immigrants from higher developed countries. Across EU countries, the role of immigrants' backgrounds can be reflected in the different results for EU and non-EU-born people: Immigrants from outside the EU (on average from lower developed countries) are commonly much more likely to be citizens. In Germany, the difference between EU and non-EU-born people that have become citizens is relatively small (4.5%). In comparison, this difference is more than 30% in Belgium, the Netherlands, and the UK.

Thirdly, **Gender matters: Foreign born women in the EU are usually more likely to be citizens than men**. However, this is not the case in Germany.

## Shares of citizenship acquisition by gender and country of origin



Source: <http://eudo-citizenship.eu/indicators>

Fourthly, **education, employment, family status and the use of language are additional factors that influence the acquisition of citizenship.** Across most EU-15 countries, immigrants from less developed countries who have at least secondary education are about 42% more likely to naturalise than those with only primary education. Immigrants from both developing and developed countries are more likely to be citizens if they speak the country of residence's language at home, if they are married, and if they are employed.

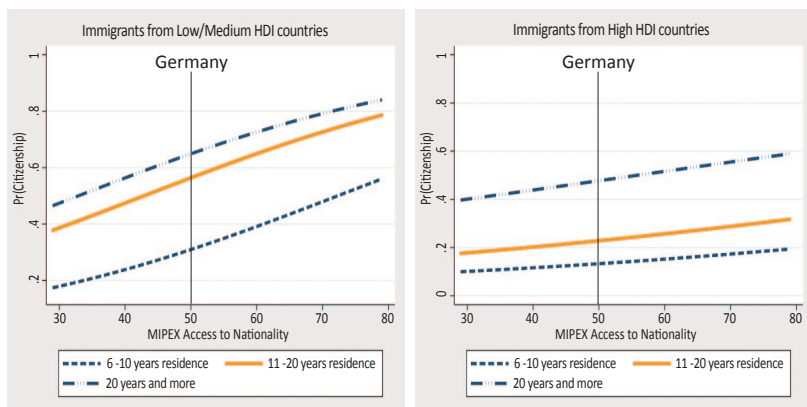
**Policies matter:** While these individual factors do play a role, **citizenship laws significantly influence how many immigrants become citizens because they determine the conditions under which immigrants can choose to naturalise.**

One example is the acceptance of multiple nationality: Immigrants from less developed countries that reside in EU countries that accept dual citizenship are 40% more likely to be citizens of the country of residence.<sup>5</sup> More importantly, inclusive citizenship laws in the country of residence have a major effect on whether or not immigrants naturalise:<sup>6</sup>

<sup>5</sup> Multiple nationality must be tolerated by both the country of origin and the country of residence.

<sup>6</sup> Citizenship policies are measured by an adjusted score of the Migrant Integration Policy Index, see <http://www.mipex.eu/>

## Probability of citizenship acquisition in EU-15 countries<sup>7</sup>



Source: Vink, M./  
Prokic-Breuer, T./  
Dronkers, J. (2013),  
also see [http://  
eudo-citizenship.eu/  
indicators](http://eudo-citizenship.eu/indicators)

This graph above shows how policies affect immigrants' uptake of citizenship on average in EU-15 countries, Norway and Switzerland. **Citizenship policies matter more for immigrants from less developed countries, especially for newcomers** (as the three lines in on the left are steeper than the lines for immigrants from higher developed countries on the right). As for immigrants coming from highly developed countries, they are not only less likely to acquire citizenship, but whether or not they do so also seems to depend on fewer factors that go beyond the time of residence in the country.

Germany's naturalisation laws are thus the major factor determining whether immigrants become German citizens. In general, more foreign born have become German citizens than would be expected just based on several of Germany's restrictive naturalisation requirements. This higher-than-expected share of naturalised citizens is due to the characteristics of the foreign-born population in Germany. This finding implies that there is great potential for increasing the naturalisation rate if Germany were to pass more inclusive laws.

<sup>7</sup> The horizontal axis in the graph represents the 'openness' of citizenship laws across EU countries. The vertical axis represents the probability that foreign born immigrants are citizens. This analysis used pooled data from the European Social Survey (2002-2010) available for 16 Western European countries (EU-15, minus Italy, plus Norway and Switzerland). The graph shows that citizenship laws have a different effect for immigrants from different countries and with different length of duration in the country.



## Results from the National Roundtable<sup>8</sup>

Naturalisation rates vary largely for different groups of immigrants. Participants stressed the need to look at refugees and different ethnic groups. While it is perceived that the incentives to become a citizen may be lower for EU citizens compared to non-EU citizens, Germany has seen a recent increase in naturalisation from EU nationals. The rates still vary according to the country of origin of EU citizens.

*For a long time there has been a huge discrepancy between different cultural groups. For example, Iran: After the barriers to an agreement were resolved, Iranians have generally naturalized more often.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, academic expert)

*The old EU countries weren't a large group before 2007, because we had the permanent right of residency, local voting rights and the appeal wasn't particularly big. Until it started being discussed that a German citizen generally had more acceptance than EU citizens. It's taken some time, but it's coming. A quarter of these 11,000 (naturalisations in Berlin) are from EU countries.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

*The naturalisation rates are still low, for example for Austrians, because they have to give up their old citizenship. A special case. But it's also low with the Greeks, which probably has to do with motivation that one brings from the country of origin. There is a famous saying, "I was born Greek and I will die Greek." This has an impact on the issue of identification.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, academic expert)

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<sup>8</sup> The German national roundtable, organised by the 'Heinrich-Boell-Stiftung', hosted in total one citizenship lawyer, two academic experts, five civil servants, six politicians and five representatives of non-governmental organisations.

## 2. CITIZENSHIP LAW INDICATORS: WHAT ARE IMMIGRANTS' LEGAL OPPORTUNITIES TO BECOME A CITIZEN?

Since citizenship policies influence why more immigrants become citizens in one country and not the other, what are the legal opportunities and obstacles that they face in Europe? Citizenship Law Indicators describe and compare legal rules for birth-right acquisition, naturalisation and loss of citizenship across countries and over time. Indicators measure degrees of inclusion and individual choice on a 0 to 1 scale.<sup>9</sup> The provisions of citizenship laws have different target groups, such as immigrants, native born, emigrants, family members of citizens or stateless persons. A score of close to 1 indicates that the legal rules are relatively inclusive for the respective target group or allow more choice of citizenship status to its members, whereas a score close to 0 indicates more exclusion or lack of individual choice.

**Overall, Germany's citizenship regime is similar to those of the other EU-15 countries** with the exception of its dual citizenship policy.<sup>10</sup>

Children born in wedlock to a German mother or father automatically acquire German citizenship. A child born out of wedlock to a non-citizen mother and German father acquires German citizenship only after paternity has been determined or formally recognised. In the case of birth abroad to a German citizen who was also born abroad (after December 31, 1999), the child acquires German citizenship upon registration of the birth (*ius sanguinis*).

Children born in Germany to a non-citizen parent automatically acquire citizenship if the non-citizen has been resident in Germany for eight years or is a citizen of Switzerland with a permanent residence permit. Foundlings automatically acquire German citizenship. (*ius soli*) There is no provision for granting citizenship to stateless children born in Germany.

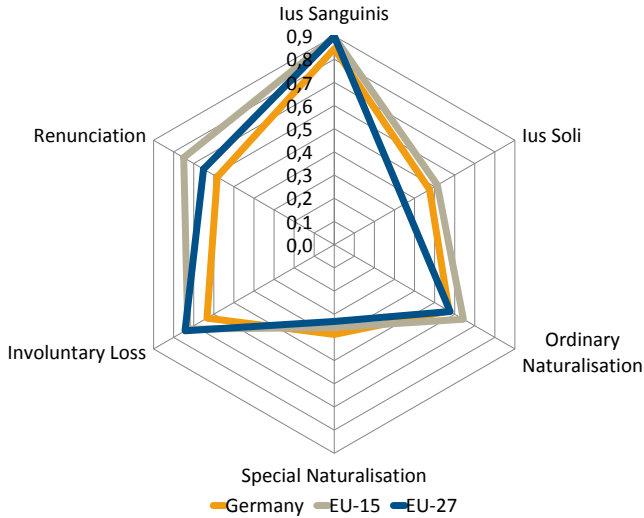
**It is easier to involuntarily lose German citizenship than it is to lose the citizenship of other EU countries.** Foreign military service, the acquisition of foreign citizenship (outside EU), the fraudulent acquisition of German citizenship, the loss of a family relationship with a citizen of Germany, adoption by foreign parents, and establishment of a foreign citizenship (for foundlings) can lead to the lapse of German citizenship. Unique to Germany, citizenship can also be lost as the result of failure to renounce before age 23 a foreign citizenship acquired at birth (*Optionspflicht*). Children of immigrants who acquire at birth both German and foreign citizenship must choose a single citizenship at the age of majority. Failure to formally choose German citizenship (and renounce foreign citizenship) by age 23 leads to the automatic lapse of German citizenship. 2012 saw the first cases of automatic loss of German citizenship by native-born Germans on these grounds (*involuntary loss*).

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9 See methodological appendix for more information.

10 For a more comprehensive overview of German citizenship laws see the EUDO country profile at <http://eudo-citizenship.eu/country-profiles/?country=Germany>

## Overall results of the Citizenship Law Indicators



Source: <http://eudo-citizenship.eu/indicators>

**Compared to most EU-15 countries, Germany provides less preferential access to citizenship to certain groups based on their special ties or contributions to the country.**

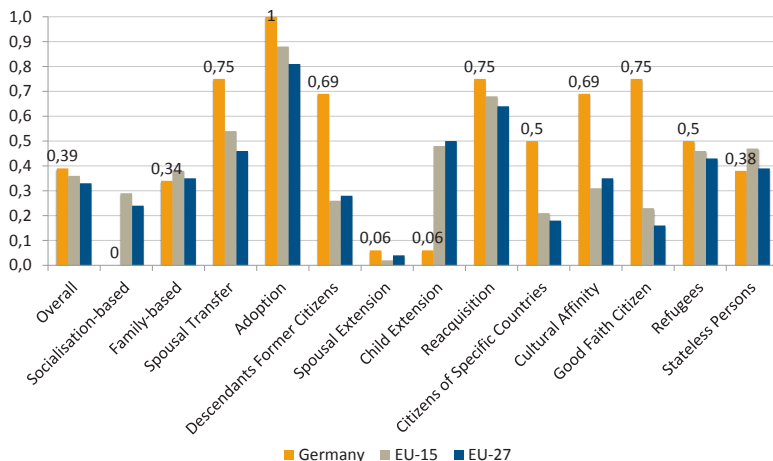
In Germany, descendants of former citizens and emigrants of German ethnic origin from Eastern Europe are offered access to a facilitated naturalisation process.<sup>11</sup> Germany also provides fewer legal opportunities for family members to acquire citizenship than most EU countries (*family based*). For children, Germany does not offer *socialization*-based citizenship (based on residence as a child). Citizenship cannot be transferred from a naturalised parent to his or her minor children (*child transfer*). The minor child of an applicant for naturalisation in Germany may be included on the application for citizenship if the minor is entitled to permanent residence in Germany and meets the language, civic knowledge, criminal record and other requirements for ordinary naturalisation (see below for detailed ordinary naturalisation requirements).<sup>12</sup> Permanent residence status and ordinary naturalisation requirements also apply to a spouse included in an application for naturalisation (*spousal extension*). Spouses of German citizens are entitled to naturalise after three years of residence in Germany if he or she meets all other requirements for ordinary naturalisation (*spousal transfer*).

11 For more detailed additional information, see the country profile of Germany on the EUDO observatory of citizenship, available at <http://eudo-citizenship.eu/country-profiles/?country=Germany>

12 Extension of acquisition of citizenship is to be distinguished from transfer of citizenship. A transfer of nationality occurs if the reference person (e.g. family member) is already a national of the country under consideration; an extension of acquisition occurs if the reference person acquires citizenship and includes a family member on the application for citizenship (The EUDO Glossary on Citizenship and Nationality).

Germany does to some extent facilitate naturalisation for *refugees*, but less so for stateless persons. Recognised refugees are entitled to naturalisation if they have been resident in Germany for eight years. While other requirements apply, refugees do not have to renounce their previous citizenship(s). *Stateless* persons can only naturalise after six years of legal habitual residence and after meeting most other conditions for ordinary naturalisation.

### Provisions for 'special naturalisation'



Source: <http://eudo-citizenship.eu/indicators>

### Germany has slightly more restrictive ordinary naturalisation requirements than most EU-15 countries.<sup>13</sup>

Immigrants are entitled to citizenship after eight years of habitual residence if they have a right to permanent residence at time of application and if they meet the other requirements for naturalisation.<sup>14</sup> The required residence period can be reduced to seven or six years by proving successful integration (e.g. participation in an integration course) (*residence*).

Dual citizenship is a major issue in Germany. Renunciation of previous citizenship(s) is generally required; however, there are some exemptions. These apply for elderly persons and victims of political persecution. Applicants may also keep their nationality if it is legally impossible for them to renounce it or if they cannot be expected to do so due to excessive costs or degrading procedures used in the country of origin. The same is true if renunciation of the foreign citizenship would cause serious

<sup>13</sup> Ordinary naturalisation refers to 'any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or his or her legal agent as well as an act of granting nationality by a public authority' (EUDO citizenship glossary).

<sup>14</sup> Habitual residence excludes, for example, asylum seekers in the asylum process, humanitarian refugees on 'tolerated' status.

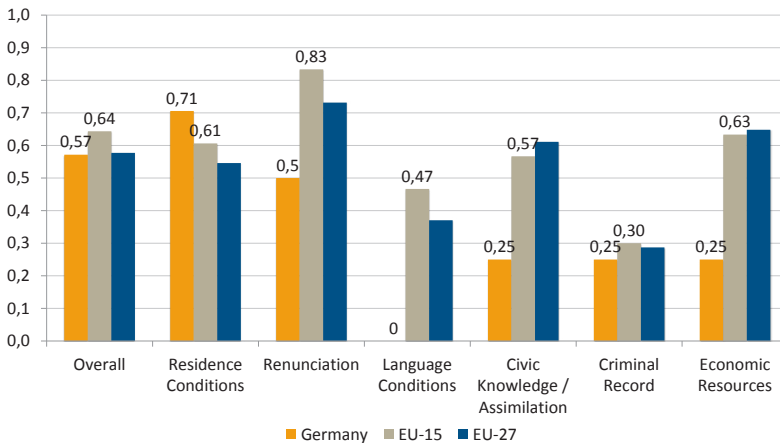
difficulties for the individual, particularly economic disadvantages or problems with property or assets in case of return. Among countries that generally require renunciation as a condition for ordinary naturalisation, Germany is unique insofar as EU citizens are exempt from this requirement (*renunciation*).

**Germany has more restrictive language and civic knowledge requirements and economic resource requirements compared to other EU-15 countries.**

Immigrants have to provide certification or pass a test to prove the relatively high B1 level language skills according to the Common European Framework of Reference for Languages. Germany also requires a formal naturalisation test, which does not exist in around half the EU countries. The test questions and study material are available online. Immigrants who have attended school in Germany are exempt from the civic and cultural knowledge requirement (*language and civic knowledge*).

Regarding the economic resource requirement, immigrants also must show the capability of earning a living without any recourse to social welfare or similar social benefits (unemployment assistance) (*economic resource requirement*). Around half of the EU countries do not impose any economic resource requirement.

**Figure 8. Provisions for ordinary naturalisation**



Source: <http://eudo-citizenship.eu/indicators>

**Results from the National Roundtable**

Given the large long-settled immigrant population in Germany, reducing the eight year residence requirement for ordinary naturalisation may not increase the number of immigrants who become citizens because many of them (approx. 40%) have already met this criterion. However, reducing the required years of residence can be a signal of a welcoming and inclusive society for future and more recent immigrants.

*For many regulations it's not about whether it brings a concrete change, but rather how the country presents itself, how open it presents itself, whether it's said, in Canada for example, "OK, after 3 years you can become Canadian" and that's celebrated, this idea of welcome, and you belong immediately in this society. I think that it's really the sense behind it to say, "OK, we'll reduce residence.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, politician)

Some immigrants may have lived in Germany for 15 years but still have not met the eight year residence requirement, because the law requires 'habitual' residence. This means that only certain interruptions (maximum of six months) of residence are allowed. Taking away the 'habitual' requirement would be an easy fix for many potential immigrants to become eligible for naturalisation.

While the citizenship test is seen as a minor obstacle, the B1 language requirement is a challenge for many immigrants, in particular for refugees. Immigrants that have gone through the process are usually less critical of the language requirement compared to immigrants that consider becoming citizens in the future.

*For those who come to Germany as refugees, this is a big hurdle. Maybe these people have already found a flat, have started a family and gotten a job, and then they don't have the language proof of B1. Then both men and women, they can't catch up. The state invests a lot in these people. But these people don't learn the language, they can't. This includes people from Iraq and Kurdistan, who haven't learned a language at all, who are illiterate and for who it's difficult to gain the language. This is a major barrier for a large group of people in Germany.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, NGO)

In light of national elections in 2013 and media attention on the issue, most of the discussion about legal obstacles revolved around tolerance of dual citizenship. Dual citizenship is a deterrent to naturalisation for many immigrant groups, such as Turks. The refusal of dual nationality is contested in many ways: Large shares of immigrant are currently not able to vote in national and local elections, which is concerning for democratic legitimacy for society at large. The many exceptions to the rule generate confusion among applicants and implementing authorities. Dual citizenship is already permitted for EU nationals and led to a considerable increase in naturalisations in some regions. Dual nationality is now granted in approximately 50% of naturalisations. Similar effects could be expected if this would be extended to immigrants outside of the EU. The rule that dual citizens have to choose one citizenship at the age of 23 (*Optionspflicht*) will create a significant administrative cost and is also perceived to be in violation with German and international law.

*Dual citizenship has been turned into a question of loyalty conflicts and other things (...). And looking at it from the state perspective: I as the state have a duty as well. The constitutional court decided 30 years ago that the democratic imperative in our constitution requires that the people who live here also belong to the national population. I'm looking at it from this side and from there I think the legislator should work beyond all political boundaries.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

*For example, last week I had a family who were naturalized. The woman was a recognized asylum-seeking refugee and had gotten dual citizenship. The child was provisionally granted temporary multiple citizenship. The 17-year-old son had an assurance of citizenship. That's a construction that the whole family doesn't understand and the colleagues at the citizens' office don't either. The law is just very complex.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

*What is the most important power of a parliament? It's to pass a budget, it's about money and the issues that we're looking at will be really expensive for the states, if they, as we've heard, have the first optional rule cases in 2018, if the optional rule really takes off nationally with 30,000 to 40,000 [people]. Then we'll need to hire a lot more personnel in all the states.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

*The demand from EU citizens has been relatively large since the possibility of dual citizenship was introduced. We really see an increased demand and an increased demand in applicants from other countries. That is really the main reason, to say: "I'd like to naturalize if I can keep my citizenship." I agree with that.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

In any case, permitting dual citizenship or reducing other obstacles to ordinary naturalisation will not be able to deal with the overall challenge of increasing naturalisation significantly.

*When you look at the fact that we had 100,000 naturalisations last year and it won't be that many more this year. And compare that to the 7 million foreigners, you can calculate how long it will take – and don't forget that the next generation will also be foreigners. That means, we need to allow ex lege acquisition. We have jus soli but we need something that is issued so that in the end there will be no procedure again.*

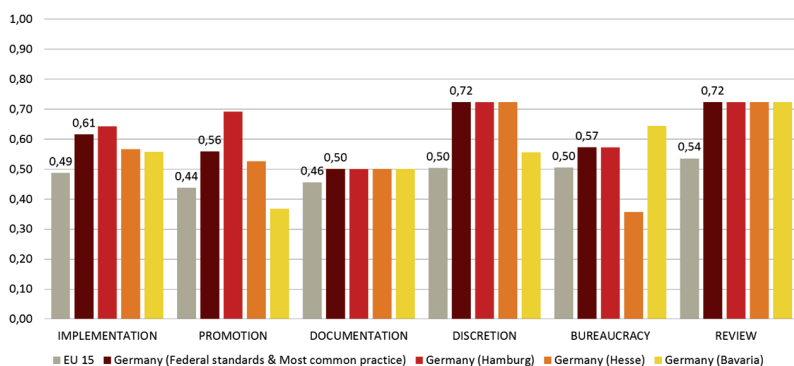
(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

### 3. CITIZENSHIP IMPLEMENTATION INDICATORS: WHAT ARE THE PROCEDURAL OBSTACLES TO ORDINARY NATURALISATION?

Opportunities created by the law may be undermined by problems in the procedure. Creating indicators is one way to measure the major opportunities and obstacles in the procedure. Citizenship Implementation Indicators measure on a 0 to 1 scale the formal aspects of the ordinary naturalisation procedure: promotion activities, documentation requirements, administrative discretion, bureaucratic procedures, and review and appeal options. 38 indicators compare all implementation stages, from efforts by public authorities to inform applicants to the options to appeal a negative decision. A score of 1 means that the country facilitates naturalisation and creates few practical obstacles. A score of 0 reflects a procedure with little facilitation and many practical obstacles.<sup>15</sup>

In the majority of countries there is a link between the policies and the way that they are implemented. In general, countries that have more legal obstacles also tend to have more practical obstacles in the procedure and vice-versa. **In contrast, Germany has more legal obstacles to naturalise than most EU-15, but fewer procedural obstacles exist in the standards at federal level and selected Länder.**<sup>16</sup>

#### Overall results of Citizenship Implementation Indicators



Source: <http://eudo-citizenship.eu/indicators>

<sup>15</sup> For more information see appendix and visit <http://eudo-citizenship.eu/indicators>. The scores for Germany were calculated based on federal regulations. If regional regulations apply, the average score of Bavaria, Hamburg and Hesse was taken as final score.

<sup>16</sup> For a more comprehensive overview of German citizenship procedures see the EUDO country profile at <http://eudo-citizenship.eu/country-profiles/?country=Germany>.

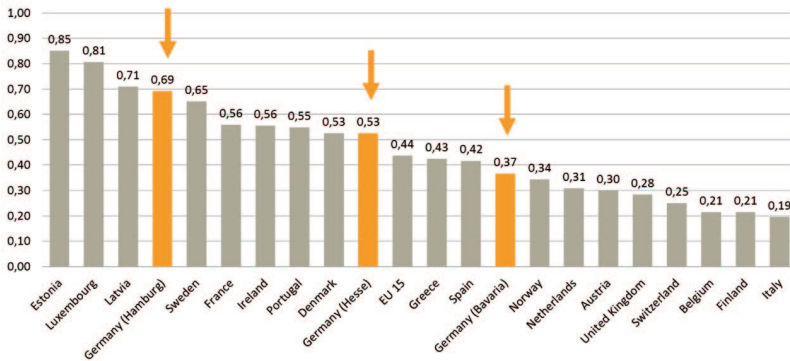


## Promotion

### Germany does more to promote naturalisation more than most EU-15 countries.

Efforts to promoting naturalisation vary most compared to other areas among the three selected Länder in Germany: Hamburg, Hesse and Bavaria. Some federal Länder, such as Hamburg and Berlin, have piloted naturalisation campaigns, information material and citizenship ceremonies. Heavily subsidised language courses and fee exemptions for vulnerable groups also promote naturalisation. However, the citizenship ceremonies not always involve public authorities and media, the campaigns do not include the general public, and the authorities mostly do not cooperate with immigrant NGOs.

Figure 10. Promotion in EU-15 countries



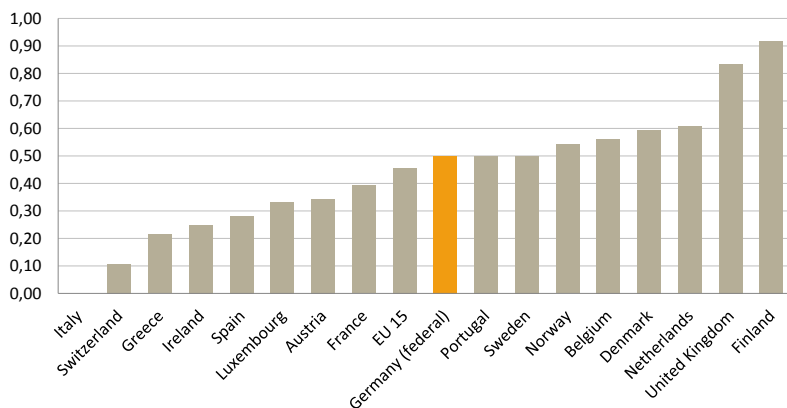
Source: <http://eudo-citizenship.eu/indicators>

## Documentation

### For immigrants who meet the legal requirements, providing the required documentation is less of an obstacle in Germany than in most EU-15 countries.

Immigrants that have completed various forms of schooling in Germany are exempt from the language and civic knowledge requirement. There are additional exemptions for the elderly, the illiterate and in the case of illness. The authorities obtain criminal record information themselves. However, Germany generally permits few exemptions on the test and economic resource requirements for refugees and stateless persons. Applicants also have to provide paperwork from the country of origin (e.g. translated and certified copies) which can be a great burden in some cases. If applicable, the renunciation of any previous citizenship(s) has to be documented. In contrast, the renunciation requirement is merely symbolic in Spain and the United States of America.

## Documentation in EU-15 countries



Source: <http://eudo-citizenship.eu/indicators>

## Bureaucracy

The naturalisation procedure is highly decentralised in some German Länder (e.g. North Rhine-Westphalia). The institutional setup and the interpretative guidelines for the common requirements may differ across Länder. There is generally no evidence of legal time limits for the overall procedure or for the various components (e.g. for criminal record checks). The process often involves several general authorities in the same Länder who must provide data or check documents (not in Bavaria). In Hesse, the authority who decides on the application is not necessarily the one which received it and confirmed that the documentation is correct.

## Results from the National Roundtable

While the requirements for naturalisation are set at the national level, the different regions (Länder) have far reaching competency to interpret and implement the naturalisation rules. This can have many implications on the applicant such as prolonged processing times and different interpretation of requirements.

*The citizenship law is a federal law. But it's implemented in the states. And the states are bound to certain regulations when there's an administrative regulation. These exist, but they are from 1999 and are obsolete in many areas. The rules about German language, multiple citizenship, etc. The federal government hasn't managed in 2013 to get a new administrative regulation. So we don't just have different organizational structures. In many states the municipality does naturalisations. In Hesse the regional council is in charge.*

*We also don't just have different organizational structures but also different state regulations, that wonder around through different implementation guidelines. From this situation we don't just have a legal problem but an implementation problem. Here the federal government has a duty and it's not doing anything at the moment.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

With bureaucracy comes the discretion of public authorities. This is particularly relevant for future citizens as they might be exempt from a requirement in one state while in the next state they would not.

*We have a problem in the administration of implementing unified standards. You have unclear terms (...) related to § 8 of the discretionary citizenship law. So there's a lot of playing room that also allows you to make naturalisation-friendly decisions. From my observations, § 8 Paragraph 2, this "special difficulties," is completely empty in many states (Laender). It simply isn't used because there isn't anything about it in the implementation guidelines.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, Politician)

*In North Rhine-Westphalia you can demonstrate that you've applied five times and that counts as a quasi-substitute for proof of income. My suspicion is that that wouldn't work in Berlin.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, civil servant)

*In Bavaria the purpose of study or a residence for education was not included in the naturalisation period. But it is in other states. Many leave North-Rhine Westphalia to get citizenship. In Germany different states have different practices.*

(Participant of the ACIT National Roundtable in Berlin,  
22 January 2013, NGO)

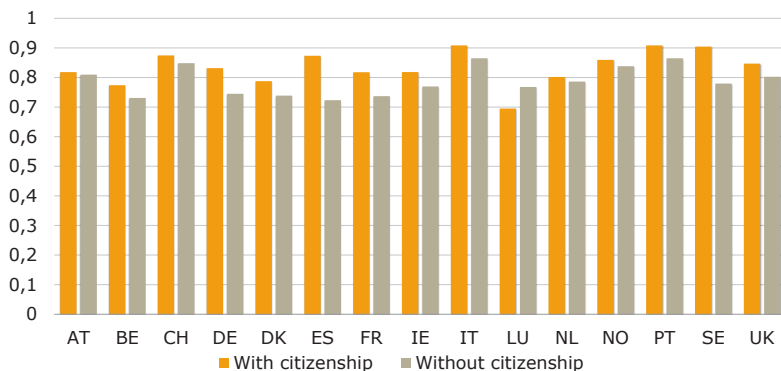
Participants also demanded more transparency. More information about the procedure should be provided in advance. Immigrants should know what steps are involved in the procedure to anticipate waiting periods. They should also have access to information about the status of their application during the procedure. This could increase confidence and trust in the system and reduce the feeling of being discriminated by the administration.

## 4. CITIZENSHIP INTEGRATION INDICATORS: DOES CITIZENSHIP MATTER FOR INTEGRATION?

Are naturalised immigrants better off than immigrants that have not acquired citizenship? Citizenship Integration Indicators compare labour market participation and socio-economic status of native citizens, naturalised citizens and non-citizens based on the 2008 Labour Force Survey and EU Statistics on Income and Living Conditions. Ten core indicators measure levels of integration in the EU-27 countries, Iceland, Norway and Switzerland with regards to the citizenship status of migrants. Indicators are organised into three categories: labour force participation, social exclusion, and living conditions.<sup>17</sup>

**In most countries, immigrants who have naturalised are often better off than immigrants who have not naturalised.** This is true even after taking into account the differences in age at arrival in the country, the years of residence, education, the region of origin, the region of the destination country and the reason for migration.

**Figure 12. Employment of foreign born immigrants after statistical controls**



Source: ACIT conference presentation

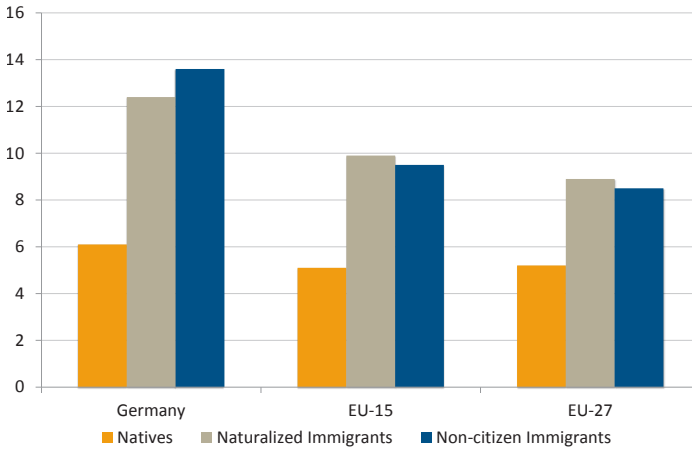
On average across Europe, the difference between naturalised and non-naturalised is particularly high for immigrants from non-EU countries. Overall, naturalised migrants are more often employed, less often overqualified for their jobs, have better housing conditions and have less difficulty paying household expenses.<sup>18</sup>

<sup>17</sup> The handbook features a selection of Citizenship Integration indicators. For more information see appendix and <http://eudo-citizenship.eu/indicators>

<sup>18</sup> For more information see OECD (2011) 'A passport for the better integration of immigrants' and Citizenship Integration Indicators at <http://eudo-citizenship.eu/indicators>

This is also the case for Germany (see following graphs). Immigrants that have not become German citizens are more slightly more likely to be unemployed, twice as likely to 'have difficulties making ends meet', and twice as likely to live in social housing.

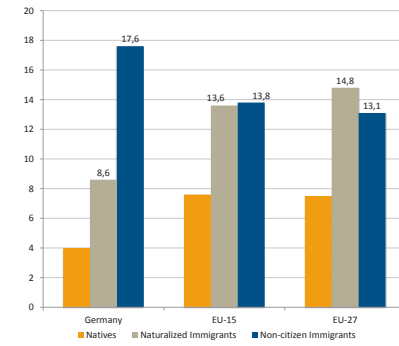
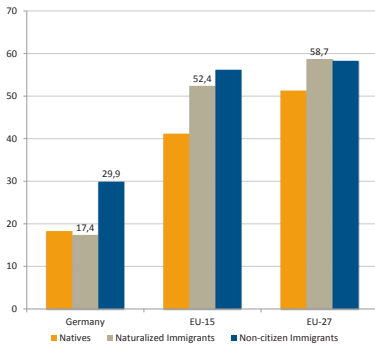
**Figure 13. Unemployment Rates, 2008 (%)**



Source: <http://eudo-citizenship.eu/indicators>

**Figure 14. Share Having Difficulty Making Ends Meet, 2008 (%)**

**Figure 15. Social Housing Occupation, 2008 (%)**



Source: <http://eudo-citizenship.eu/indicators>

In most of Europe, better outcomes for naturalised immigrants seem to be a sign that 'better integrated' immigrants are more likely to acquire citizenship irrespective of how inclusive or restrictive a country's citizenship policy is. While immigrants from less developed countries are more likely to apply, among them, the 'better integrated' do. Thus, the most integrated immigrants become citizens regardless of how demanding the naturalisation requirements are.

But does the acquisition of citizenship itself actually improve integration outcomes? Does the policy select the best ‘integrated’ immigrants or do only the best ‘integrated’ immigrants apply regardless of the policy? Do naturalised immigrants usually have better living conditions because they have acquired citizenship or is it more common for people with better living conditions to apply for citizenship?

**More national and international research is needed to clarify the effects of citizenship and better address why naturalised immigrants often have better integration outcomes.** Researchers need panel data to answer this question about causality. Several studies that have used panel data analysis have found a positive effect of citizenship on labour market participation in Germany, France and the United States.<sup>19</sup> This project found also that, although political participation increases mainly with length of residence, citizenship status makes it more likely that first generation immigrants will also engage in less conventional forms of participation, such as wearing a campaign sticker, signing a petition, taking part in a demonstration or boycotting certain products.

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<sup>19</sup> For more detail, see the OECD publication ‘A passport for the better integration of immigrants?’ (2011).

## KEY RESULTS:

1. Overall, Germany's citizenship regime is similar to those of the other EU-15 countries with the exception of its dual citizenship policy.
2. Unique to Germany, citizenship can also be lost as the result of failure to renounce before age 23 a foreign citizenship acquired at birth ('Optionspflicht'). Children of immigrants who acquire at birth both German and foreign citizenship must choose a single citizenship at the age of majority. Failure to formally choose German citizenship (and renounce foreign citizenship) by age 23 leads to the automatic lapse of German citizenship. 2012 saw the first cases of automatic loss of German citizenship by native-born Germans on these grounds (involuntary loss). This delayed intolerance of dual citizenship is a major legal obstacle to many immigrants living in Germany, in particular for the large Turkish population.
3. Germany has slightly more restrictive ordinary naturalisation requirements than most EU-15 countries. While the citizenship test in itself is seen as a minor obstacle, the B1 language requirement is a challenge for many immigrants, in particular for refugees.
4. Germany has fewer procedural obstacles in federal standards and selected Länder than most EU-15 countries.
5. While the requirements for naturalisation are set at the national level, the different regions (Länder) have far reaching competency to interpret and implement the naturalisation rules according to roundtable participants. This can have many implications for the applicant, such as prolonged processing times and unequal treatment due to different interpretation of requirements by local authorities.

# RECOMMENDATIONS OF THE HEINRICH-BOELL-STIFTUNG

## 1. Dual citizenship

Dual and multiple nationalities are generally not permitted in Germany and can only be applied in certain circumstances. However, approximately 50% of the naturalised immigrants retain their old citizenship – a fact that is not well known by the public. The law excludes large long settled immigrants from participating in society and it is a significant administrative burden for public authorities. Dual citizenship should be permitted.

## 2. Optional model

The current 'optional model' (Optionspflicht) is legally contested with regard to international conventions, it is an administrative burden and it is exclusion of large parts of the population with an immigrant background. The optional model should be abolished.

## 3. Unify state regulations

While the requirements for naturalisation are set at the national level, the different regions (Bundesländer) have far reaching competency to interpret and implement the naturalisation rules. Thus, different states have different practices. This can have many implications on the applicant such as prolonged processing times and different interpretation of requirements. Administrative practices should be harmonised and enforced equally across Germany.

## 4. Clear guidelines and transparency for the administrative processes

The administrative process needs to be made more coherent, both for the applicants and the civil servants. Administrative obstacles exist mainly in the lack of information and advice for applicants. There is no support from the side of the administration and often applicants are intimidated by the process itself and are deterred by the procedure. More information about the procedure should be provided in advance. Applicants should know what steps are involved in the procedure to anticipate waiting periods. They should also have access to information about the status of their application during the procedure. This could increase confidence and trust in the system and reduce the feeling of being discriminated by the administration.

## 5. Germany needs a welcoming culture

Presenting Germany as a more welcoming country would be an important determinant for pushing the naturalization rate. The acquisition of citizenship needs to be promoted. Public campaigns were evaluated as being less efficient than building on NGO networks and work especially with migrant organizations to spread the message and information to potential candidates. People who have lived in Germany for many years might see this as a welcoming signal to acquire the German nationality. Reducing the required years of residence is another signal of a welcoming and inclusive society for future and more recent immigrants.



# METHODOLOGICAL APPENDIX

## CITIZENSHIP ACQUISITION INDICATORS

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Citizenship Acquisition Indicators have been developed by Maarten Vink (Maastricht University/ European University Institute) and Tijana Prokic-Breuer (Maastricht University). Acquisition indicators have been calculated for 25 European states. The data source for the indicators is the Labour Force Survey Ad Hoc Module 2008 on the labour market situation of migrants and their descendants (Eurostat). The target population includes all persons aged between 15 and 74 (or 16 to 74 in countries where the target group for the core Labour Force Survey is from 16 years old). All numbers presented are based on at least 100 respondents.

Data is presented for the following European countries: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. In Germany, information on country of birth is missing for all respondents. To determine the region of origin (EU or non-EU), the study uses the country of birth of the father and/or mother of the respondent. There was no data provided by Eurostat for Finland. Data was excluded for Bulgaria, Malta and Romania due to small sample sizes.

Acquisition indicators analyse several factors, including

- **sex** (the percentage of foreign-born females and males who have acquired citizenship of the respective country of residence),
- **origin** (the percentage of foreign-born persons from EU and non-EU countries who have acquired citizenship of the respective country of residence)
- **the age at migration** (the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the age at which the respondent took up residence; age groups: 0-17 years; 18-39 years; 40+ years)
- **years of residence by cohort** (the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the number of years of residence: 1-5 years; 6-10 years; 11-19 years; 20+ years)
- **years of residence by minimum number of years** ( the percentage of foreign-born persons who have acquired citizenship of their country of residence, differentiated by the number of years the respondent has minimally resided there: at least 5 years; at least 10 years; at least 15 years; at least 20 years)
- **the time until naturalisation** (the numbers of years it takes on average for foreign-born persons to acquire the citizenship of the respective country of residence)

For more information visit:

<http://eudo-citizenship.eu/indicators/citacqindicators>

## CITIZENSHIP LAW INDICATORS

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Citizenship Law Indicators have been developed by Rainer Bauböck (European University Institute), Iseult Honohan and Kristen Jeffers (University College Dublin) in consultation with Maarten Vink (University of Maastricht) and Thomas Huddleston (Migration Policy Group).

Basic indicator scores have been calculated on the basis of a list of substantive and procedural requirements for each mode of acquisition or loss of citizenship using both additive and weighting formulas. The scoring is based on EUDO CITIZENSHIP's qualitative databases on [modes of acquisition](#) and [loss](#) of citizenship, on the detailed country reports and additional information from standardised questionnaire answers by legal experts in the respective countries.

Citizenship indicators are aggregated at different levels in order to analyse more general features of citizenship laws. The six highest level indicators that are calculated using all 45 basic indicators are: *ius sanguinis*, *ius soli*, residence-based ordinary naturalisation, naturalisation on specific grounds, voluntary renunciation and withdrawal/lapse.

These indicators have been calculated for 36 European states. The following labels are used for average indicators: EUROPE for all 36 states, EU 27 for all 2012 member states of the EU, EU 15 for the pre-2004 EU member states and EU 12 for the post-2004 accession states. Citizenship Law Indicators are based on citizenship laws at the end of 2011. In the future, it is foreseen to offer a new edition for past years that allow analysing trends over time.

For more information visit:

<http://eudo-citizenship.eu/indicators/eudo-citizenship-law-indicators> where you will also find a comprehensive [methodology report](#).

## CITIZENSHIP IMPLEMENTATION INDICATORS

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Citizenship Implementation Indicators have been developed by Thomas Huddleston (Migration Policy Group).

Citizenship Implementation Indicators have been calculated for 35 European states, as well as for three German federal provinces. The following list presents the five dimensions and the number of corresponding indicators and sub-indicators:

- Promotion: how much do authorities encourage eligible applicants to apply?
- Documentation: how easy is it for applicants to prove that they meet the legal conditions?
- Discretion: how much room do authorities have to interpret the legal conditions?
- Bureaucracy: how easy is it for authorities to come to a decision?
- Review: how strong is judicial oversight of the procedure?

A country's overall score is calculated as the simple average of these five dimensions. Based on a 0 to 1 scale, countries with scores closer to 1 create fewer obstacles in the implementation of naturalisation law. For each of the five dimensions, procedures that score closer to 1 involve greater promotion, easier documentation, less discretion, less bureaucracy, and/or stronger review. Countries with scores closer to 0 create more obstacles in the implementation of the naturalisation law. For each of the five dimensions, procedures that score closer to 0 involve little promotion, difficult documentation, wide discretion, greater bureaucracy, and/or weak review. The scores are the result of country reports written for the purpose of this project and a standardised questionnaire filled in by legal experts.

For more information visit:

<http://eudo-citizenship.eu/indicators/citimpindicators>

## CITIZENSHIP INTEGRATION INDICATORS

Citizenship Integration Indicators have been developed by Derek Hutcheson and Kristen Jeffers (University College Dublin).

The indicators are derived from the 2008 EU Labour Force Survey Ad Hoc Module on 'The Labour Market Situation of Migrants and Their Descendants' (Eurostat). Socio-Economic Status indicators are derived from the 2008 cross-sectional EU Statistics on Income and Living Conditions (EU-SILC).

Some data may be omitted due to small sample sizes. All numbers presented are based on at least 100 respondents or 20 for the Socio-Economic Status indicators.

Citizenship indicators include:

### LABOUR FORCE INDICATORS

**Unemployment:** the number of people aged 15 to 74 unemployed, as defined by the International Labour Organisation, as a percentage of the labour force (the total number of people employed plus unemployed) of the same age group.

**Economic Activity Rate:** the total number of people aged 15 to 74 employed plus the total number of people unemployed (the labour force) as a percentage of the total population of the same age group.

**Level of Education:** the mean highest education attainment level among respondents aged 25 to 74. Values correspond to mean education levels specified by the International Standard Classification on Education: (1) primary education; (2) lower secondary education; (3) higher secondary education; (4) post-secondary non-tertiary education; (5) university degree; (6) postgraduate studies.

**Overqualification rate:** calculated as a share of the population aged 25 to 74 with a high educational level (ISCED 5 or 6), and having low or medium skilled jobs (ISCO

occupation levels 4 to 9) among employed persons having attained a high educational level of the same age group.

## SOCIO-ECONOMIC STATUS INDICATORS

**Social Benefit dependence:** measures receipt of family/children related allowance, housing allowances, and social benefits not elsewhere classified as the mean share of respondents' gross annual income.

**Poor dwelling (quality):** aims to objectively measure the quality of the respondents' accommodation. Values correspond to the percentage of respondents who indicate that the dwelling in which they live has a problem with a leaking roof and/or damp ceilings, dampness in the walls, floors or foundation and/or rot in window frames and doors.

**Poor dwelling (environment):** aims to objectively measure the quality of the area in which the respondent resides. Values correspond to the percentage of respondents who indicate that pollution, grime, or other environmental problems in the area caused by traffic or industry is a problem for the household.

**Poor dwelling (crime):** aims to objectively measure the quality of the area in which the respondent resides. Values correspond to the percentage of respondents who indicate that crime, violence, or vandalism in the area is a problem for the household.

**Difficulty making ends meet:** measures the level of difficulty the respondents' household has in paying its usual expenses. Values correspond to the percentage of respondents that indicate they have some difficulty, difficulty, or great difficulty paying usual household expenses.

**Housing cost burden:** measures the average percentage of monthly disposable household income spent on monthly housing costs.

**Unmet health need:** measures the percentage of respondents who indicated that there had been at least one occasion during the last twelve months when the respondent needed medical or dental examination or treatment and did not receive treatment.

For more information visit:

<http://eudo-citizenship.eu/indicators/integration-indicators>

## NATIONAL ROUNDTABLES

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National Roundtables were organised by national partners and the Migration Policy Group in Austria, Estonia, France, Germany, Hungary, Ireland, Italy, Portugal, Spain, and the United Kingdom. The purpose of the roundtables was to present the project's country results to national stakeholders in order to gather their feedback and interpret the findings in a national policy context. Participants were asked about the factors that influence naturalisation, the impact of citizenship on various forms of

integration, the impact of national policies and the political environment for reform. The ten events took place between November 2012 and February 2013.

10-20 national stakeholders were invited to each event. Stakeholders included civil servants working in national, regional or local administration, regional or national-level politicians, members of non-governmental organisations including immigrant organisation, advocacy groups and service providers, citizenship and immigration lawyers, and academic researchers working for research institutes and universities. The full list of participants in each country is not made public because participants were insured anonymity to facilitate open debate.

The ten national roundtables were organised in two structured focus group sessions of each 60-90 minutes. The discussion was recorded and transcribed by national partners and analysed by the Migration Policy Group. All transcripts were used for content analysis using Nvivo software package for coding.

For more information, see the comparative EU level report:  
<http://eudo-citizenship.eu/indicators>





## About the MIGRATION POLICY GROUP

The Migration Policy Group is an independent non-profit European organisation dedicated to strategic thinking and acting on mobility, equality, and diversity. MPG's mission is to contribute to lasting and positive change resulting in open and inclusive societies by stimulating well-informed European debate and action on migration, equality and diversity, and enhancing European co-operation between and amongst governmental agencies, civil society organisations and the private sector.

We articulate this mission through four primary activities focused on harnessing the advantages of migration, equality and diversity and responding effectively to their challenges:

1. Gathering, analysing and sharing information
2. Creating opportunities for dialogue and mutual learning
3. Mobilising and engaging stakeholders in policy debates
4. Establishing, inspiring and managing expert networks

For more information on our past and current research, visit our website at [www.migpolgroup.com](http://www.migpolgroup.com)



## About EUDO-CITIZENSHIP

Democracy is government accountable to citizens. But how do states determine who their citizens are? EUDO CITIZENSHIP allows you to answer this and many other questions on citizenship in the EU member states and neighbouring countries.

EUDO CITIZENSHIP is an observatory within the [European Union Observatory on Democracy \(EUDO\)](#) web platform hosted at the Robert Schuman Centre for Advanced Studies of the European University Institute in Florence.

The observatory conducts research and provides exhaustive and updated information on loss and acquisition of citizenship, national and international legal norms, citizenship statistics, bibliographical resources, comparative analyses and debates about research strategies and policy reforms.

For more information on our past and current research, visit our website at [www.eudo-citizenship.eu](http://www.eudo-citizenship.eu)

