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# EUDO CITIZENSHIP OBSERVATORY

## *NATURALISATION PROCEDURES FOR IMMIGRANTS BELGIUM*

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European University Institute, Florence  
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EUDO Citizenship Observatory

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# Naturalisation Procedures for Immigrants

## Belgium

Patrick Wautelet

### 1. Introduction

Naturalisation is one of the methods available for foreigners who want to acquire Belgian nationality. Naturalisation has existed as an acquisition method since Belgium was founded in 1830, even though it was first organized by an Act of 27 Sept. 1835. Since its inception, the competence to naturalize foreigners has been exclusively reserved to the (federal) Chamber of Representatives. When the Constitution was drafted, the choice to reserve this competence to the Chamber was justified by the concern to avoid that the King, as head of the Executive branch, could abuse the power to naturalise for political reasons.<sup>1</sup> The requirements and consequences of the naturalisation process, have, however, been substantially modified over the years.<sup>2</sup>

In recent years, several substantial changes have been made to the legal framework for naturalisation. Some of the main changes may be summarized as follows:

- 1984: the Code of Belgian Nationality adopted in 1984 made it possible for foreigners to obtain Belgian nationality after 5 years of residence in Belgium. This was, however, only a first step towards full citizenship. Naturalized foreigners did not enjoy all rights and privileges of Belgian nationals. In order to obtain the full status of Belgian citizens, naturalized foreigners had to file a new application 5 years after having been granted the status of naturalized Belgian citizen. In all cases, the Chamber of Representatives examined closely the extent to which the foreigner had showed his/her intention to 'integrate'.
- 2000: the act of 1<sup>st</sup> March 2000 brought the minimum residence requirement in order to qualify for naturalization to 3 years (2 years for refugees and stateless persons). At the same time, this Act dispensed with any need to prove that the applicant was 'integrated'.
- 2012: the Act of 4 December 2012 has substantially altered the requirements in order to be naturalized. Starting on 1<sup>st</sup> of January 2013, foreigners who apply to become naturalized, must demonstrate that they have “exceptional merits”. According to Article 19 (1)(3) of the Act, this requires showing merits in the scientific, sport or

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<sup>1</sup> See the details in B. RENAULD, « La naturalisation est accordée par le pouvoir législatif fédéral », *Rev. b. dr. const.*, 1997, 249 ff.

<sup>2</sup> See the following acts: Act of 6 August 1881 (*Official Gazette*, 9 August 1881); Act of 16 July 1889 (*Official Gazette*, 16 August 1889); Act of 9 June 1909 (*Official Gazette*, 17 June 1909); Act of 15 May 1922 (*Official Gazette*, 25 May 1922); Act of 15 October 1932 (*Official Gazette*, 4 December 1932) and the Act of 28 February 1962 (*Official Gazette*, 24 March 1962). After the Code of Belgian Nationality was adopted in 1984, several subsequent modifications were also adopted.

cultural fields, so that the applicant can “bring a special contribution to the international fame of Belgium”. It is very likely that these new requirements will dramatically reduce the number of naturalizations granted.

These changes have had an effect on the number of foreigners becoming Belgian by naturalization. Although it is difficult to come up with exact figures, the following table shows that naturalisation numbers in Belgium have been increasing substantially over the years, at least until 2005. It is not surprising that naturalization has become more popular after the modification of the legal framework in 2000 and that it decreased slightly afterwards. After 2005, numbers decreased steadily, as some members of the Chamber of Representatives became less and less inclined to grant naturalization. At the same time, the legal framework for naturalization was during recent years the object of intense legislative discussions. During those discussions, the Chamber of Representatives decided to stop processing applications for naturalisation.

*Naturalisation in Belgium*

*Absolute numbers and naturalisation as a total of new citizens*

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Naturalization number	1.467	2.150	1.505	3.833	4.602	4.890	9.638	11.119	5.794	10.516
Percentage of total acquisitions	18 %	5%	9%	15%	18%	20%	30%	33%	24%	17%

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Naturalization number	10.364	8.327	4.085	6.606	6.621	6.025	8.304	7.760	4.408	3.836
Percentage of total acquisitions	18%	18%	12%	19%	21%	15%	18%	17%	11%	9%

(Source : Centre pour l'égalité des chances – Annual Reports – [www.diversite.be](http://www.diversite.be))

These figures should be read in light of the total number of foreigners becoming Belgian citizens every year. While between 1945 and 1984, only an average of 5,000 foreigners obtained Belgian nationality each year, between 1984 and 2004, more than 630,000 foreigners obtained the Belgian nationality.<sup>3</sup> This figure hides a large diversity: in the peak year (1985), more than 80.000 foreigners obtained Belgian nationality. 1992 and 2000 were also peak years, with more than 50,000 new Belgians during these two years.

Federal authorities have exclusive competence over Belgian nationality law matters. Regional authorities are not involved in the implementation and application of nationality legislation. This explains why there are few figures available which would indicate the respective percentage of naturalisation in each region. In the following table, the naturalisation numbers are split according to the region in which the applicant resided.

<sup>3</sup> Source : Annual Report 2007 Centre pour l'égalité des chances.

	2000	2001	2002	2003
Brussels	5.241	4.504	3.179	3.415
Walloon Region	2.352	1.959	1.015	1.231
Flemish Region	3.909	2.886	2.013	1.260

(Source : Parliamentary Questions , 2004-2005, 7 June 2005, 3/42, pp. 3298-3299)

The data published in the Official Gazette (*Moniteur belge / Belgisch Staatsblad*) on the occasion of the naturalisation do not make it possible to determine the regional percentage of applications, nor of naturalisations granted. It is therefore not possible to examine whether the legislative framework is applied differently depending on the regional origin of the applicant. It is not possible to determine whether there is a different naturalisation rate depending on the region. Please note, however, that local authorities are involved in naturalisation procedures. As will be explained below, applications may indeed be lodged with local authorities.

As this report makes clear, the naturalisation process under Belgian law is characterized by a very high level of unpredictability: not only is there very little promotion (Section 2), but the procedures are lengthy (Section 3). The high level of discretion which the authorities have in examining applications and the lack of any effective judicial review make for a very discretionary process in which applicants may not assert any right, but are left seeking a favour. This report has been drafted taking into account the law as it stood on 31 December 2012. The changes which have been brought to the legal framework by the Act of 4 December 2012 will be mentioned, although they will not be substantially incorporated in the discussion.

## 2. Promotion and citizenship ceremonies

Belgian authorities do not undertake specific efforts in order to promote naturalisation as a method to obtain the Belgian nationality. Belgium does not run naturalisation campaigns or similar promotion activities to encourage applications to apply for naturalisation. Within the last ten years, there have not been any official naturalisation campaigns, neither on the federal nor on the regional level. It is unclear whether the absence of any promotional efforts is the consequence of administrative apathy or a conscious decision not to promote the naturalisation process.

To the best of our knowledge, no state agency has made available 'paper' promotional materials (such as leaflets and brochures) in relation to the naturalisation procedure. The only paper document available is a brochure published by the Chamber of Representatives, which includes information on the requirements, procedure and consequences of the naturalisation procedure. This leaflet (7 pages) largely corresponds to the information made available online by the Chamber of Representatives. It is not written in accessible language and has not specifically been drafted to be understood by the general public. It is not clear whether this leaflet is made available as a printed document in government's offices. I have also no knowledge of any state-funded effort to publish or make available paper promotional materials in relation to naturalisation.

Moreover, there are no official information or counselling services specifically for applicants for naturalisation. However, the administrative authorities are generally obliged to guide applicants through procedures.

There is no single centralized web-site which offers comprehensive information on the naturalisation procedure. Rather, several state agencies have included information on the procedure in their web-site. This is the case for the following agencies:

- the Chamber of Representatives  
([www.lachambre.be/kvvcr/showpage.cfm?section=/nat&language=fr&story=nat.xml&rightmenu=right](http://www.lachambre.be/kvvcr/showpage.cfm?section=/nat&language=fr&story=nat.xml&rightmenu=right));
- the Ministry of Foreign Affairs  
([http://diplomatie.belgium.be/fr/Services/services\\_a\\_letranger/nationalite/acquisition\\_volontaire/demande\\_de\\_naturalisation/](http://diplomatie.belgium.be/fr/Services/services_a_letranger/nationalite/acquisition_volontaire/demande_de_naturalisation/));
- the Ministry of Justice ([www.staatsblad.be/index\\_fr.htm](http://www.staatsblad.be/index_fr.htm))
- The Anti-Discrimination Agency  
[www.diversite.be/?action=publicatie\\_detail&id=159&thema=4&select\\_page=216](http://www.diversite.be/?action=publicatie_detail&id=159&thema=4&select_page=216)

The information provided by these authorities on their respective websites differs widely. Some only make a reference to other online sources where more information is made available. Other also provide details on naturalisation procedures, conditions for application and documents needed. Most of these online resources only provide a summary of the main rules and an overview of the procedure. The information provided is mostly accurate but no effort is made to use simplified language. Very often, the language used is very close to the one used in the Nationality Act. The most comprehensive information offered by a state agency may be found on the website of the federal Chamber of Representatives (which is in fact often copy-pasted by other state agencies). This website, which is not specifically dedicated to the naturalisation process, but is included in the general online presence of the Chamber,<sup>4</sup> offers a full explanation on the requirements, the documents to be produced and goes further than what may be found in the Nationality Act proper (*e.g.* it also offers a list of countries for which no legalisation is required of the documents filed in support of the application). Although some efforts have been made to simplify the wording, the information is not easily understandable for non lawyers and certainly not for those without proper education.

Some local authorities (cities and municipalities) have also included some information on the naturalisation procedure on their web-site.<sup>5</sup>

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<sup>4</sup> In French:

<http://www.dekamer.be/kvvcr/showpage.cfm?section=/nat&language=fr&story=nat.xml&rightmenu=right> ; in Dutch:

<http://www.dekamer.be/kvvcr/showpage.cfm?section=/nat&language=nl&story=nat.xml&rightmenu=right>.

<sup>5</sup> *E.g.* the city of Schaerbeek ([http://www.schaerbeek.irisnet.be/demarches-administratives/etat-civil-identite-nationalite/nationalite/dossier-nationalite#Demande\\_de\\_naturalisation](http://www.schaerbeek.irisnet.be/demarches-administratives/etat-civil-identite-nationalite/nationalite/dossier-nationalite#Demande_de_naturalisation)). In other cities, no such information is made available on line or the information available is extremely limited (*e.g.* the city of Anderlecht's web site only indicates under the heading 'naturalisation' the office hours and contact details of its civil document desk – <http://www.anderlecht.be/administration/procedures--reglements--formulaire>; see also the webpage of the city of Antwerp which only offers very limited information on the acquisition of Belgian nationality : <http://www.antwerpen.be/eCache/ABE/2/702.Y29udGV4dD04MDMzOTc0.html>).

A number of NGOs offer advice on the naturalisation procedure.<sup>6</sup> In most cases, the advice offered by these NGOs is only part of their activities, which is larger and not strictly limited to the naturalisation process. Some of these NGOs receive funding from state authorities. It is unclear whether any of the funding these NGOs receive is specifically earmarked for their activities aimed at providing advice on the naturalisation process.

These NGO's also offer online documentation on the naturalisation process. Some of these online resources offer valuable information on the naturalisation process.<sup>7</sup>

There is no official interactive self-assessment tool offered which would allow a potential applicant to verify whether he/she qualifies for naturalisation. Some online resources offer simplified decision trees or a condensed overview of the various acquisition procedures, which at least allows the potential applicant to determine whether he/she qualifies for naturalisation.<sup>8</sup>

One NGO offers an interactive self-assessment tool for applicants – note however that this tool is not limited to the naturalisation procedure, but covers all possibilities to acquire the Belgian nationality (<http://www.allrights.be/devenir-belge/schema-interactif>)

No ceremony is organized on the occasion of naturalisation. The naturalisation becomes effective when the Act granting the naturalisation is published in the *Official Gazette*. It is not known whether the Naturalization Office of the Chamber of Representatives informs the persons concerned of this publication.

### 3. Authorities and procedure

The Constitution provides that naturalisation is an exclusive competence of the Federal legislative branch (Art. 9: “*La naturalisation est accordée par le pouvoir législatif fédéral*” / “*Naturalisatie wordt verleend door de federale wetgevende macht*”).

Federal legislation has been adopted to determine the requirements for naturalization. The current legal framework may be found in articles 18 ff of the 1984 Belgian Nationality Code, as amended. This legal framework is complemented by criteria which have been adopted by the Naturalisation Committee of the Chamber of Representatives. Although these criteria are as such not binding, they have effectively been used by the Committee when reviewing the applications. The Chamber does not systematically publish the criteria which have been agreed. When they are made available, it is mostly through indirect sources, such as publication in law reviews.

<sup>6</sup> See e.g. Infor Jeunes ([http://www.jeminforme.be/naturalisation/dossier\\_demande.html](http://www.jeminforme.be/naturalisation/dossier_demande.html)); Democratie-Plus (<http://www.democratie-plus.be/>); Conseil Jeunesse et Développement absl (<http://cjdasbl.be/index.php/devenir-belge>); Kruispunt Migratie-Integratie (<http://www.kruispuntmi.be/vreemdelingenrecht/wegwijs.aspx?id=84>).

<sup>7</sup> See e.g. the webpage of Democratie Plus, which provides an account in simplified language of the naturalisation procedure and other procedures; another good example of comprehensive information is to be found in the webpage of the Kruispunt Migratie-Integratie, which is quite comprehensive – it also includes an explanation on the criteria used by the Chamber of Representatives beyond the legal requirements.

<sup>8</sup> See e.g. the website of the city of Liège, which offers a summary of the various acquisition procedures in simplified language, linked to a fact sheet on each procedure : <http://www.liege.be/etat-civil-et-population/naturalisation-et-declaration-de-nationalite>.



The actual process of examining the applications involves several different state agencies.

Most applications are filed with the municipal authorities of the place where the applicant resides or with an embassy or consulate of Belgium abroad, if the applicant does not reside in Belgium. These agencies should in principle send all the applications they receive directly to the Chamber of Representatives without performing any check. Experience has, however, revealed that it is not uncommon for civil servants in municipalities to check applications and refuse to consider them when they are of the opinion that the application is not correctly filled. Worse, it has been reported that some civil servants even refuse to hand out the application form to prospective applicants when they consider that the person concerned does not qualify to become a Belgian citizen. These situations may be exceptional, but they nonetheless exist. They should be taken into consideration when assessing the practice of naturalisation in Belgium.

Applications are sent, together with the documents, to the the Chamber of Representatives. The application is first reviewed by the Naturalisation Committee's secretariat (composed of civil servants), which verifies that the application is complete and that the documentation complies with the requirements. The secretariat also collects the various advices which must be issued on the applications (by the public prosecutor which must check the criminal records, the Foreigners' Agency and the Agency for Public Security).

Decisions on applications for naturalisation are taken by the Chamber of Representatives of Parliament. However, these decisions are prepared by the Naturalisation Committee, which is composed of 20 Members of Parliament. The Committee first assigns the applications to a 'sub-committee' composed of three members. Although the members of these sub-committees should in principle work on the basis of identical guidelines and principles, the reality is that they do not all strictly follow the guidelines. Therefore, although the final decision is taken by one central authority, the various steps leading to that decision may reveal some divergence among the relevant entities dealing with naturalisation applications.

#### **4. Documentation**

The documentation requirements for naturalisation are specified in the application form which must be filled by applicants. Among the documents to be filed with the application, applicants have to file an official copy of their birth certificate and all documents evidencing their residence status in Belgium.

Alternative rules are made available in two cases. First on humanitarian grounds – for refugees and stateless persons. In the case of persons recognized as a refugee on the basis of the 1951 Geneva Convention and in the case of stateless persons, the applicant may obtain the required identity documents from the 'Office of the Commissioner General for Refugees and Stateless Persons' (<http://www.cgira.be/en/>), an independent state agency entrusted with the determination of refugee status.

Another alternative solution is provided on accessibility grounds: in case it proves impossible to obtain a birth certificate from the country of origin, the applicant may request the issuance of a replacement document. This requires filing a petition with the local Justice of the Peace and demonstrating that it is impossible to obtain a birth certificate from the country of origin. Courts have found that the mere fact that the applicant was born in a country far away from Belgium, did not as such make it impossible to obtain a birth certificate.

## 5. Discretion

Under Belgian law, naturalization is a discretionary process. The foreigner applying to be naturalised does not have an entitlement to naturalisation, even though he/she may meet the requirements set out in the law. As discretionary decisions cannot be challenged (see hereinafter), authorities enjoy a wide margin of appreciation. It is not even required that discretion should be exercised in accordance with the purpose of the law. There is no prohibition of arbitrary decision. The discretion is general, i.e. it extends to all requirements. In practice, this means that even if all requirements are met, nationality may still be refused. On the other hand, discretion may be used to waive certain requirements.

The very large discretion enjoyed by the Chamber of Representatives may be illustrated by looking at integration assessment and language requirements. Since the reform of 2000, the Belgian Nationality Act does not include any requirement to demonstrate 'integration' or to demonstrate availability of economic resources (this has been modified, however, by the act of 4 December 2012).

However, the Chamber of Representatives, which is the sole master of the naturalisation process, had determined that applications which did not comply with some criteria, would not be considered or would be examined only after a waiting period. Some of these criteria could come under the heading of 'integration' or of 'economic resources'.<sup>9</sup> So it was that the Chamber of Representatives could reject an application if the applicant was involved in a polygamous marriage, has been convicted for serious traffic violations less than 5 years ago, or is a member of a “dangerous sect or terrorist organisation which is opposed to democratic values, fundamental freedoms or the rule of law”.

Likewise, the wide discretion enjoyed by the legislative branch applies to the language knowledge of applicants. Until the last major reform of 2012, the Belgian Nationality Act did not include any requirement to demonstrate knowledge of any of the three official languages of Belgium in order to be naturalized. However, the Chamber of Representatives had determined that applications which did not comply with some criteria, would not be considered or will be examined only after a waiting period. One of these criteria concerned the language knowledge of the applicant. According to the criteria published by the Chamber of Representatives, account was indeed taken of the knowledge the applicant possessed of one of the three official languages of Belgium. If the applicant did not possess a “sufficient knowledge”, the Chamber could reject the application, unless the applicant indicated that he/she was willing to acquire such sufficient knowledge. In that case, the application would

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<sup>9</sup> See in general D. DE JONGHE and M. DOUTREPONT, “Obtention de la nationalité et volonté d'intégration”, *Courrier du Crisp* 2152-2153, 2012, at pp. 36-37.

be stayed for a certain period (usually two years). After this time period, the Chamber would reconsider the application. If the applicant had still not acquired a sufficient knowledge of one of the language after the period of two years, the application would be rejected. This was part of the 'general guidelines' adopted by the Chamber in 2001. It was confirmed in the new guidelines adopted in 2011.

The Chamber of Representatives may also take into account the fact that the applicant is dependent on support from state agencies (such as unemployment benefits or minimum allowance for poor and destitute). In new guidelines approved in 2011, it is said that the applicant 'must also demonstrate that he has undertaken actions to understand and speak the language of his domicile and take part to local life' (*“Le requérant doit également prouver faire des efforts pour comprendre et parler la langue de son domicile et participer à la vie locale »*).

The status of these various requirements was, however, difficult to determine. It is indeed well known that the guidelines were not uniformly applied by the Naturalisation Committee. Some members of the Committee deferred to the guidelines. Other members disregarded them.

## 6. Fees and costs

Since the reform of 2000, no fee was required in order to file or process a naturalisation application. This has, however, changed with the 2012 reform. Starting on January 1<sup>st</sup>, 2013, naturalization applications will only be taken into account provided the applicant pays a fee of EUR 150. There are no exemptions or reductions of fees.

Additional costs may incur for the following:

- Criminal record: no fee is charged for a copy of the central criminal record delivered by the Ministry of Justice. However, municipalities may charge a fee (which may range between 5 to 20 EUR) for a certificate evidencing previous sentences. There may be costs associated with the delivery of foreign records.
- Birth certificate: delivery of official copies of birth certificates by foreign States could be made subject to payment of a fee.
- Some municipalities also charge a fee when a foreigner files an application for naturalisation. Fees may range from 10 to 80 EUR.<sup>10</sup>
- Legalisation and translation of documents: all documents submitted during the process have to be legalised and/or translated. Legalisation can be made easier if the country of origin is bound by the Hague 1965 Apostille Convention or another international agreement dispensing with the legalisation. This could involve costs for the applicants.

<sup>10</sup> See e.g. for the municipality of Woluwe Saint Pierre : the regulation of 4 March 2010 on the “taxe sur la délivrance de documents administratifs (available at <http://www.woluwe1150.irisnet.be/fr/documents/2012-05-16-11-28-55/264-services/taxes-fr/946-taxesfr>) – a fee of EUR 25.

## 7. Length of procedure

No precise time limit is set for the processing of naturalisation applications. The only relevant time limits are those set for the various checks which are carried out in order to verify whether naturalisation has to be denied for public security reasons. Those checks are carried out by the Public Prosecutor and the Agency for Public Security. According to Article 9 of the internal regulations of the Naturalisation Committee of the Chamber, if the relevant state agencies do not reply to the request for security check within the prescribed time limit (which is set at four months), the application will be nonetheless be submitted to the Naturalisation Committee. This seems to suggest that if the state agencies concerned do not carry out the security check within four months, the application could be decided without taking into account the security check.

It is difficult, however, to know how the Naturalisation Committee reacts in such case, as no individual decision is published. It is well known that some members of the Committee will not approve an application if there is no certainty on the 'security factor'. So it is that in 2011, a dispute arose between various members of the Naturalisation Committee regarding applications which had been introduced a couple of years before. Some members of the Committee refused to consider these applications, arguing that the security check had been carried out too long ago and should be carried out again. This dispute has apparently not yet been settled. Hence there might be a substantial difference between the text (Article 9) and the practice of the Committee.

In practice, applicants are told that the processing of their applications could take 18 months. Currently, the Naturalisation Committee has a backlog of about 50,000 applications, some of which were filed more than 3 years ago. If documents are missing or are too old, applications will be put on hold until the file is complete. If the applicant does not respond and files the required documents within the time frame given by the Secretariat, the application will be rejected.

## 8. Reasoning and review

Decisions issued by the Chamber of Representatives are not reasoned. When an application is rejected or when the decision is postponed, the Naturalisation Committee will at most include in the notice a one sentence explanation, in standard language, pointing to the reason why the application is rejected or a decision is postponed. This is done in application of Article 18 of the Rules of Procedure adopted (in 2001) by the Naturalisation committee, which provide that the Committee's secretariat “will inform the applicant by mail that it is suggested to reject or postpone its application and will inform him of the reasons of this decision”. In practice the explanation is limited to a few words (such as 'no sufficient residence in Belgium'), which is done using standard language, without being substantially tailored to the situation of the applicant. This should not count as “legal reasoning”.

There is no effective remedy whatsoever available for an applicant as the decision of the Chamber of Representatives is deemed to be not justiciable. The only possibility for the applicant is to request that the Chamber reconsiders its decision. The applicant may upon receiving the decision, file his/her comments (according to the standard notice issued by the

Chamber, the applicant has 30 days to do so). The Chamber will then decide whether to reconsider its decision based on these comments. This is based on the rules of procedure adopted by the Naturalisation Commission of the Chamber of Representatives in 2001, which do not appear to have been officially modified since then.

No judicial review is available against decisions adopted by the Chamber of Representatives. Decisions taken by the Chamber of Representatives on application for naturalisation may not be challenged before the courts. There is no judicial review, as Parliament is deemed to be sovereign and its decisions unchallengeable. This has been confirmed by the Constitutional Court in a ruling in 1998. The Court was asked to review an Act of Parliament which had denied the application of one person, while granting naturalisation to another person who apparently was in an identical position to the applicant. The Court found that while it had in principle jurisdiction to review an Act of Parliament which had denied the application of one person, it could not proceed to review the act since this would mean touching a question which had been left to the “sovereign discretion” of Parliament.

## **9. Conclusion**

The process of naturalisation in Belgium, as it stood until the modification brought by the Act of 4 December 2012, was certainly not a model of a modern, transparent and well-thought of democratic framework. Although the requirements set out by the law in order to be naturalized seemed minimal, they were seen by the stage agencies involved as only a minimum threshold to be met by applicants, without any guarantee that naturalisation would be granted. The process was further characterized by an almost unlimited discretion, as the deciding state agency was not bound by the criteria set in the law. The responsible agency did not have to justify its decisions. Nor could they be challenged or reviewed in any way by a court or an independent agency. This created an environment where decisions were seen as arbitrary and based on political motives. Stories of applications which were unfairly treated or which received a privileged treatment abound. This may explain why the various state agencies involved never undertook to make any promotion for the naturalisation process.

The Act of 4 December 2012 has not modified the secretive, political nature of the naturalisation process. By imposing very strict requirements on the applicants, who must demonstrate exceptional merits in order to qualify for the naturalisation, the new law has in practice cut off naturalisation as a method to obtain the Belgian nationality for the vast majority of foreigners residing in Belgium. In other words, the process of naturalisation is still a far cry from the ideal of a democratic, open and transparent process. Fortunately, it will only be applied to a very limited number of persons in the future.

