



European University Institute

ROBERT SCHUMAN CENTRE FOR ADVANCED STUDIES



# ACCESS TO CITIZENSHIP AND ITS IMPACT ON IMMIGRANT INTEGRATION

## EUROPEAN SUMMARY AND STANDARDS



# ACCESS TO CITIZENSHIP AND ITS IMPACT ON IMMIGRANT INTEGRATION

## EUROPEAN SUMMARY AND STANDARDS

**Authors:** Rainer Bauböck, Iseult Honohan, Thomas Huddleston,  
Derek Hutcheson, Jo Shaw and Maarten Peter Vink.

**Editorial assistance:** Jean-Thomas Arrighi

**Graphic design:** Stefania Laudisa

The EU Summary 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).

# CONTENTS

The project on ‘Access to Citizenship and Its Impact on Immigrant Integration’ (ACIT)	2
Executive summary	3
Citizenship Law Indicators (CITLAW)	7
Citizenship Implementation Indicators (CITIMP)	14
Citizenship Acquisition Indicators (CITACQ)	22
Citizenship Integration Indicators (CITINT)	28
What we all have in common: Setting a standard for the acquisition of nationality by immigrants and their descendants	37
PART 1: Why the acquisition of nationality matters for integration	40
PART 2: Standard for the acquisition of nationality by immigrants and their descendants	43
PART 3: Explanatory report for the standard for the acquisition of nationality by immigrants and their descendants	47

# THE PROJECT ON ‘ACCESS TO CITIZENSHIP AND ITS IMPACT ON IMMIGRANT INTEGRATION’ (ACIT)

The research project ‘Access to Citizenship and its Impact on Immigrant Integration (ACIT)’ has compared how European states regulate the acquisition of citizenship and the impact of citizenship on the socio-economic and political participation of immigrants.

All results of the project are accessible on the EUDO CITIZENSHIP observatory at [www.eudo-citizenship.eu](http://www.eudo-citizenship.eu). The project was financially supported by the European Fund for the Integration of Non-EU immigrants (European Commission Grant Agreement: HOME/2010/EIFX/CA/1774).

The five consortium partners who carried out the project jointly are: the European University Institute, the Migration Policy Group (Brussels), University College Dublin, University of Edinburgh and Maastricht University.

In its 18-month programme (from October 2011 to April 2013), ACIT developed four sets of [citizenship indicators](#) on citizenship laws ([CITLAW](#)), their implementation ([CITIMP](#)), and their impact on acquisition rates ([CITACQ](#)) and integration policies ([CITINT](#)) in all 27 EU Member States and accession candidate and EEA countries (Croatia, Iceland, FYROM Macedonia, Norway, Switzerland, and Turkey). Ten EU Member States (Austria, Estonia, France, Germany, Hungary, Ireland, Italy, Portugal, Spain, United Kingdom) were selected for in-depth case studies because of their large immigrant and foreign populations, diverse citizenship laws and particularly high or low acquisition rates. National stakeholder roundtables were organised by NGO/think-tank partners in these 10 countries (in Vienna, Tallinn, Paris, Berlin, Budapest, Dublin, Rome, Lisbon, Barcelona, London). Simultaneously with the ACIT project, EUDO CITIZENSHIP has expanded and updated its national and international legal databases and country reports.

ACIT made the first-ever impact assessment of citizenship laws in each country and across Europe.<sup>1</sup> The findings compare the impact of legal rules with that of societal factors such as origin, residence duration, gender, age and social status. In addition to databases, graphic tools for the four indicator strands and national reports research results are disseminated in ten national handbooks and four comparative analytical reports based on the indicators.

Academic researchers, government and civil society now have access to comprehensive data, comparative analyses and practical guidelines on how to evaluate the outcomes of citizenship policies, set targets and good governance standards, and assess the prospective impact of policy changes. ACIT contributes thereby to evidence-based policies and more effective practices for integration and acquisition of citizenship by creating authoritative, comprehensive and easy-to-use databases, which foster European information exchange and cooperation.

The present report presents short summaries of main results based on the [CITLAW](#), [CITIMP](#), [CITACQ](#) and [CITINT](#) indicators as well as an EU module with policy standards and recommendations.

---

<sup>1</sup> Dronkers, J. and M.P. Vink (2012), “Explaining Access to Citizenship in Europe: How Policies Affect Naturalisation Rates”, *European Union Politics*, 13(3): 390–412.

# EXECUTIVE SUMMARY

## CITIZENSHIP LAW INDICATORS (CITLAW)

Ius sanguinis citizenship (by descent from a citizen parent) is available in fairly inclusive ways in each of the countries in our sample and remains the primary channel for the acquisition of citizenship in Europe. In contrast, ius soli citizenship (entitlement to citizenship by birth in the territory) varies considerably across Europe. There is a clear distinction in ius soli trends between EU-15 and EU-12 countries. Belgium, France, Germany, Greece, Ireland, the Netherlands, Portugal and Spain all provide for ius soli citizenship either at birth or after birth for children born in the country (contingent upon residence requirements for the individual and/or the individual's parents). At the other end of the scale, a number of countries have no ius soli provisions apart from those for foundlings and stateless children.

Ordinary residence-based naturalisation varies significantly across Europe, in terms of the length and type of residence required and the presence and degree of additional requirements. The 'effective' residence requirement (calculated on the basis of required length and residence permit and permissible interruptions) ranges from 3 to 20 years and is slightly more demanding in the EU-12 than the EU-15. While most EU-15 countries have moved towards partial or full toleration of dual citizenship, several EU-12 countries still require the renunciation of a foreign nationality for naturalisation. Bulgaria, Estonia, Latvia and Lithuania are least tolerant of dual citizenship. The language skills requirements of the EU-12 Member States are generally more demanding than those of the EU-15. Conversely, civic knowledge tests and cultural assimilation requirements are slightly more common in EU-15 nations than in EU-12 nations. A majority of EU countries in our sample do not have requirements regarding employment or economic resources for naturalisation.

Many states provide certain categories of persons with a privileged access to citizenship based on their special ties or contributions to the country. For example, nearly all countries provide easier access to citizenship for close relatives of citizens or of naturalisation applicants. On average, family-based naturalisation is slightly more generous in the EU-15 compared to the EU-12.

Regarding loss of citizenship, every European country studied allows for the voluntary renunciation of citizenship and, apart from Lithuania, all require in this case the possession or imminent acquisition of another citizenship. Every country except Poland provides for the involuntary loss of citizenship in certain cases. Long-term or permanent residence abroad, the acquisition of a foreign nationality, or the establishment of a foreign nationality are considered by many countries to indicate a sufficiently strong loss of ties to the country to justify the withdrawal of citizenship, provided that the person has access to another nationality and does not become stateless.

## CITIZENSHIP IMPLEMENTATION INDICATORS (CITIMP)

Across Europe, ordinary naturalisation procedures involve as many obstacles as opportunities for immigrants to become citizens. Countries in the North and Northwest of Europe

often have stronger judicial review and, to some extent, less bureaucracy and documentation requirements. New and smaller countries of immigration, mostly in Central or Southern Europe, often have weaker judicial review and more discretion in procedures. Overall, European countries that facilitate the ordinary naturalisation requirements in their citizenship law do not necessarily facilitate the procedure. No systematic relationship emerges between CITLAW and CITIMP indicators for ordinary naturalisation due to significant outlier countries, particularly Estonia and Latvia whose laws are extremely restrictive while procedures produce few additional obstacles. The converse is true for Cyprus, Malta, or Ireland, where an inclusive citizenship law is combined with extremely cumbersome and discretionary naturalisation procedures.

We first studied the role of promotional activities as a dimension of implementation. Most countries only provide the 'basic' materials at 'normal' costs. The EU-15 countries usually have slightly more information and counselling services, easier-to-understand materials and web facilities.

The documentation required is another significant obstacle for ordinary naturalisation in many states of Europe. Most countries have few exemptions from documentation, complicated requirements for country of origin documentation and few alternatives to prove identity.

Discretion is a major problem in the ordinary naturalisation procedure in half the countries studied. Ordinary naturalisation is a right for applicants who meet the legal requirements in only twelve of the 35 countries studied. Generally, most countries' requirements tend to be clearer and more objective with regard to residence requirements and, to a lesser extent, the criminal record and exemptions from renunciation of a foreign nationality. Economic resource, language and integration assessments are among the most discretionary requirements across countries.

Most ordinary naturalisation procedures involve some element of bureaucracy. Legal time limits for processing the application are usually long and ineffectual. Procedures headed by ministers or legislatures tend to involve more authorities, less expertise on citizenship and the dispersal amongst various agencies of the responsibilities for receiving, checking and deciding on the application.

Most countries have a right to appeal built into the naturalisation procedure, including judicial review processes. Appeal decisions can cover substantive aspects as well as procedural aspects in nearly all countries that offer a right to appeal. In terms of powers, in only ten of the countries studied do judges have the power to overturn a rejection and grant citizenship to the applicant. The standard judicial review procedures hardly ever apply to language or integration assessments.

## **CITIZENSHIP ACQUISITION INDICATORS (CITACQ)**

The share of acquisition of citizenship varies greatly among foreign-born immigrants in the EU15, Switzerland and Norway (in 2008). On average, just 34% of foreign-born persons are citizens of their country of residence. Shares are lowest in Luxembourg (10%) and highest in Sweden (67%). The time it takes foreign-born immigrants to naturalise also varies across Europe. On average, it takes around 10 years for them to acquire citizenship in the EU-15 countries.

Why do some immigrants naturalise and others not? Immigrants' likelihood to naturalise does not only depend on where they come from, but also on where they go, since the citizenship policy in the destination country has a significant impact. The level of development of the country of origin is a crucial factor in understanding the relationships between, on the one hand, citizenship policies and, on the other hand, individual-level features and citizenship acquisition rates in Europe. Immigrants in Europe coming from medium and under-developed countries are on average 2.5 times more likely to be citizens of their country or residence than those originating from highly developed countries. Because large differences exist between immigrants in their motivation to naturalise, the impact of citizenship policies varies for these two groups. Immigrants from less developed countries are twice as likely to naturalise in countries with very inclusive citizenship policies. Citizenship policies matter more for immigrants from less developed countries, especially for newcomers. In addition, socio-economic features such as education and employment status are indeed significant for the uptake of citizenship, but only for immigrants from less developed countries.

### **CITIZENSHIP INTEGRATION INDICATORS (CITINT)**

This research strand conducted descriptive analyses of the socio-economic positions of native-born citizens, naturalised citizens, and non-naturalised immigrants, particularly third-country nationals. Across the EU-15, both non-naturalised and naturalised immigrants are more economically active than natives. In the EU-12 states, naturalised immigrants are less economically active than non-naturalised immigrants and natives. In most European countries, the unemployment and over-qualification rates are lower amongst naturalised than non-naturalised citizens. Naturalised immigrants have higher levels of educational attainment than non-naturalised immigrants in most European countries, though gaps between population groups are usually fairly small.

In terms of housing, first-generation immigrants have more difficulty paying usual household expenses than natives. In the majority of cases, the gaps between naturalised immigrants and natives are smaller than those between non-naturalised immigrants and natives. In countries where reliable data is available, it appears that naturalised immigrants are less likely to have had unmet healthcare needs than non-naturalised immigrants. Naturalised immigrants are less likely than non-naturalised immigrants to live in housing in areas where pollution, grime, other environmental problems, crime, violence, or vandalism. Naturalised immigrants spend a smaller share of their monthly income on their housing costs than non-naturalised immigrants. In addition, naturalised immigrants are also generally more likely to own their accommodation. There is no clear-cut pattern about concentration in social housing.

### **WHAT WE ALL HAVE IN COMMON: SETTING A STANDARD FOR THE ACQUISITION OF NATIONALITY BY IMMIGRANTS AND THEIR DESCENDANTS**

The partners in this project are setting a standard for national legislation and policies on the acquisition of nationality for immigrants and their descendants. This standard builds on the decade-long comparative research agenda and on the issues raised in the ten national stakeholder roundtables.

European countries face three major challenges in relation to their citizenship policies. First, Member States regulate access to EU citizenship under their own citizenship laws

and want to preserve this privilege as an expression of their sovereignty and self-determination. Second, the citizens of Member States are also citizens of the European Union who enjoy free movement and admission rights in all other Member States. Member States' policies on the acquisition and loss of citizenship must take into account the general principles of EU law, specifically those of proportionality and effective remedies. Third, the EU and its Member States have a common interest in promoting full integration of long-term immigrants and their descendants through naturalisation and *ius soli*, in order to avoid settled immigrants being deprived of secure residence and political representation and to promote a sense of shared membership among both native and immigrant origin populations.

The basic right of Member States to self-determination in matters of citizenship laws and policies sets limits to any political initiative for coordinating or harmonising citizenship laws and policies at the EU level. Although the three challenges point in different directions, citizenship policies can be reformed in such a way that each of the legitimate interests involved is taken into account. We indicate below only the main goals of such reforms and support the argument with evidence from the ACIT research and stakeholder roundtables, while leaving open the procedures how they could be promoted or achieved through specific actions taken by the European Commission, European Parliament, or Council of Europe.

The first section of this standard is an introduction that explains why the acquisition of nationality matters for integration. It also explains how countries can diagnose and remedy the causes of low naturalisation rates. The second section provides the core standards for policies and procedures on the acquisition of nationality by immigrants and their descendants. This standard assists lawmakers and practitioners to improve the law and procedure in their respective country. In the third section, each of the standards is further elaborated in an explanatory report in terms of the benefits for immigrants, for the state and for society.

## **OVERVIEW OF STANDARD FOR THE ACQUISITION OF NATIONALITY BY IMMIGRANTS AND THEIR DESCENDANTS**

1. ACQUISITION OF NATIONALITY BASED ON BIRTHRIGHT OR SOCIALISATION
2. NATURALISATION OF MINOR CHILDREN
3. ORDINARY NATURALISATION
  - 3.1. *LEGAL RESIDENCE*
  - 3.2. *LANGUAGE KNOWLEDGE*
  - 3.3. *CIVIC RESPONSIBILITIES*
  - 3.4. *NO SERIOUS THREAT TO PUBLIC POLICY OR PUBLIC SECURITY*
  - 3.5. *COST*
4. MULTIPLE NATIONALITY
5. NATURALISATION OF PERSONS WITH SPECIAL EFFECTIVE LINKS TO THE COUNTRY
6. PROCEDURES FOR THE ACQUISITION OF NATIONALITY
  - 6.1. *DOCUMENTATION FOR ORDINARY NATURALISATION*
  - 6.2. *A PUBLIC SERVICE WELCOMING CITIZENS-TO-BE*
  - 6.3. *PROCEDURAL GUARANTEES*
  - 6.4. *EQUAL TREATMENT AND RECOGNITION OF NEW CITIZENS*



# CITIZENSHIP LAW INDICATORS (CITLAW)

Through their citizenship laws, states determine whom they recognize as their citizens. The laws of EU Member States determine furthermore who will be citizens of the Union. In much of the contemporary literature, citizenship laws are compared with regard to one single aspect: the extent to which they select and include as citizens non-European immigrants and their descendants. This is a very important question, but it is certainly not the only relevant one. States pursue multiple purposes when determining their citizenry (Vink and Bauböck 2013)<sup>2</sup>. Some of these purposes have little to do with immigration, but may still have important unintended side effects for immigrants' access to citizenship.

Based on the EUDO CITIZENSHIP typology of 27 modes of acquisition and 15 modes of loss of citizenship, CITLAW indicators allow for the quantitative comparison and analysis of the multiple purposes of citizenship law.

CITLAW indicators measure the degree of inclusion and freedom of choice for the target groups of different legal provisions. Basic indicator scores are calculated on the basis of a list of substantive and procedural requirements for each mode of acquisition or loss using both additive and weighting formulas.

CITLAW indicators are aggregated at different levels in order to analyse more general features of citizenship laws. The six highest-level CITLAW indicators that are calculated by combining the 45 basic indicators are *ius sanguinis*, *ius soli*, residence-based ordinary naturalisation, naturalisation on specific grounds, voluntary renunciation and involuntary withdrawal or lapse.

CITLAW indicators do not express a normative evaluation about how inclusive citizenship laws ought to be. They aim to measure objectively how inclusive legal provisions are for their specific target groups. There are many different target groups of citizenship laws, such as first and later generation immigrants, first and later generation emigrants, refugees, stateless persons, family members of citizens or co-ethnic populations abroad. It makes therefore no sense to compare the overall inclusiveness of citizenship laws.

CITLAW indicators have been calculated for 36 European states.<sup>3</sup> We use the following labels 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.

The first instalment of CITLAW indicators is based on citizenship laws at the end of 2011. In the future we plan to offer series for past years that allow for the analysis of trends over time.

---

2 Vink, M. and Bauböck, R. "Citizenship Configurations: analysing the multiple purposes of citizenship regimes in Europe", *Contemporary European Studies*, Volume 11, Number 5 (2013).

3 EU-27, Croatia, Iceland, Macedonia, Moldova, Montenegro, Norway, Serbia, Switzerland and Turkey

## SUMMARY OF FINDINGS

### *Ius Sanguinis*

Ius sanguinis citizenship (by descent from a citizen parent) is available in fairly inclusive ways in each of the countries in our sample and remains the primary channel for the acquisition of citizenship in Europe. Compared to other CITLAW indicators, there is less variation across countries when it comes to ius sanguinis provisions. The average score is the same (0.90) for the four main country clusters: Europe, EU-15, EU-12 and EU-27.

Bulgaria, Estonia, France, Lithuania, Luxembourg, Moldova, Norway, Slovakia and Spain receive scores of 1, indicating unconditional ius sanguinis *ex patre* and *ex matre* in the cases of birth in the country or birth abroad. The lowest scores are obtained by Malta (0.38) and Austria (0.63). These comparatively low scores are due to restrictions on *ex patre* ius sanguinis in the case of birth outside of marriage. Whereas Austria confers ius sanguinis retroactively if the Austrian father marries the mother of the child, Malta provides no such option for overcoming the *ex patre* restriction. The European Court of Human Rights has judged such unequal treatment of children born in and out of wedlock as discriminatory (Genovese v. Malta, 2011). An amendment to the Austrian citizenship law adopted in June 2013 will allow for Austrian fathers to pass on citizenship by descent to children out of wedlock if they recognise the child within 8 weeks after birth.

Many countries score between 0.80 and 1 due to requirements of registration or declaration of ius sanguinis citizenship the case of birth abroad.

### *Ius Soli*

Acquisition of citizenship by birth in the state territory (*ius soli*) is assessed by five basic indicators. The overall *ius soli* indicator provides a single summary score for *ius soli* provisions. The principal forms by which citizenship is awarded on this ground – second and third generation birth in the country – are given the greatest weight in the calculation of the combined *ius soli* indicators. *Ius soli* after birth and the provisions for foundlings and otherwise stateless children are also considered, but with less weight.

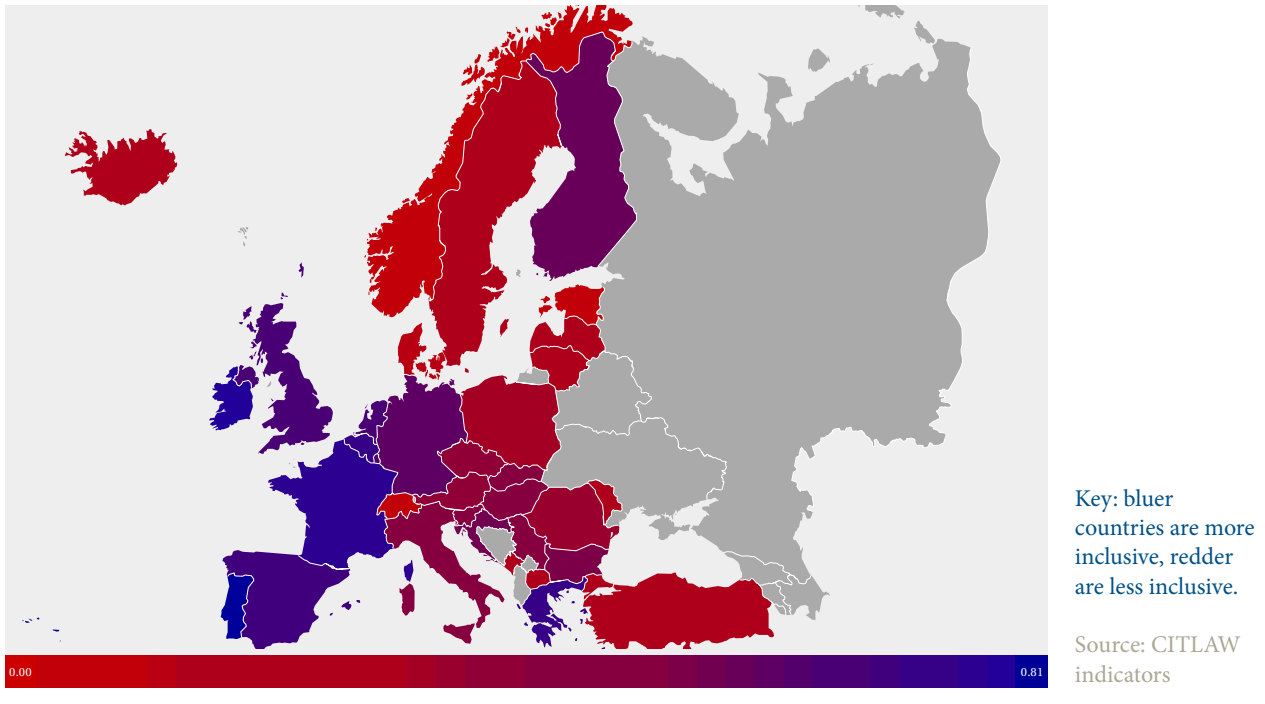
As shown in the *ius soli* map, there is considerable variation among countries. Scores range from Cyprus (0) up to France (0.73), Ireland (0.79) and Portugal (0.81). Since the Irish Republic has abolished unconditional *ius soli* in 2004, no country in Europe offers automatic citizenship to any child born in its territory (as the U.S. and Canada do).

There is a clear a distinction in *ius soli* trends between EU-15 (0.51) and EU-12 (0.15) nations. Belgium, France, Germany, Greece, Ireland, Luxembourg, the Netherlands, Portugal and Spain all provide for *ius soli* citizenship either at birth or after birth for children born in the country (contingent upon birthplace or residence requirements for the individual and/or the individual's parents). At the other end of the scale, a number of countries cluster with an overall very low *ius soli* score of 0.13 (Iceland, Latvia, Lithuania, Macedonia, Moldova, Montenegro, Sweden<sup>4</sup> and Turkey). In these states there are no *ius soli* provisions apart from those for foundlings and stateless children.

---

4 While Sweden receives a *ius soli* score of only 0.13, it does have a very inclusive compensatory naturalisation entitlement for minors after 5 years of residence independently of their birthplace, which is not present in the other countries in this list.

## Overall inclusion through ius soli provisions



### *Ordinary Naturalisation*

Every country in our sample allows for the acquisition of citizenship by residence-based naturalisation. There is significant variation across our sample, however, in the length and type of residence that is required for naturalisation and the presence and degree of additional conditions for naturalisation.

The number of required years of residence stated in citizenship laws is no good indicator for the inclusiveness of residence-based naturalisation. We have therefore calculated an effective residence requirement that takes into account allowed interruptions and permanent residence status requirements. The weighted effective residence required in our sample ranges from 3 to 20 years. Belgium has the shortest residency requirement of any country in our sample: three years of legal residence without continuity or permanent status conditions. At the other end of the scale is Moldova, where an individual must reside in the country habitually, uninterruptedly and with a permanent residence permit for 10 years prior to the application for naturalisation. Generally, residence requirements are slightly less demanding in EU-15 compared to the EU-12 countries (0.61 versus 0.47 in the standardised indicator that measures the inclusiveness of this provision).

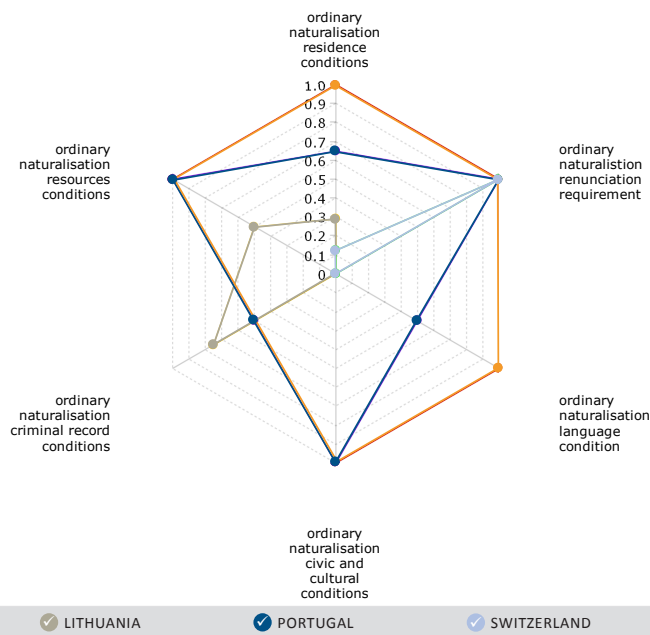
In addition to the residence criteria, we measure other conditions for naturalisation: renunciation of a foreign nationality, language skills, civic knowledge and cultural assimilation, absence of criminal record and sufficient economic resources. We also consider whether the procedure for ordinary naturalisation is discretionary grant by the authorities or an individual entitlement of the applicant who meets all conditions.

While most EU-15 countries have moved towards partial or full toleration of dual citizenship, several EU-12 countries still require the renunciation of a foreign nationality for naturalisation. Notably, Bulgaria, Estonia and Lithuania provide no exceptions to the renunciation requirement even for refugees or in case of denial of release by the country of origin.

The language skills requirements of the EU-12 Member States are generally more demanding than those of the EU-15. Conversely, civic knowledge tests and cultural assimilation requirements are slightly more common in EU-15 nations than in EU-12 nations.

When it comes to criminal record conditions, there is no clear divide between EU-12 and EU-15 nations. Interestingly, however, the non-EU states included in our sample score higher than the EU average. Croatia and Serbia have no criminal record conditions for naturalisation and the requirements in other non-EU countries such as Iceland, Moldova and Norway are relatively undemanding.

**Conditions for ordinary naturalisation in the most inclusive (Belgium and Portugal) and the most restrictive states (Switzerland and Lithuania)**



Source: CITLAW indicators

Fourteen countries in our sample do not have requirements regarding employment or economic resources for naturalisation. Austria, Denmark, France, Hungary, Iceland, Italy and Switzerland have onerous employment and/or welfare dependency conditions that extend back to several years before the application for naturalisation. There is no clear pattern within or across any of the country groups.

**Special Naturalisation**

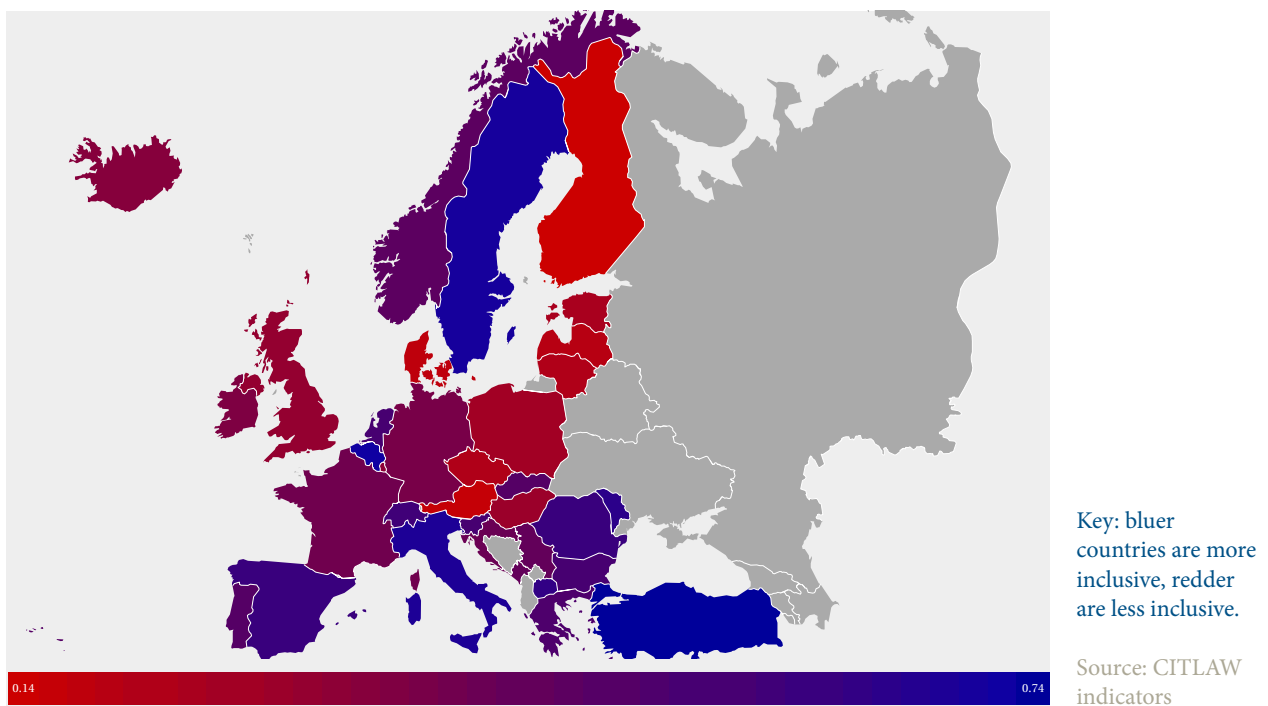
Sixteen basic indicators measure the strength of provisions that offer certain categories of persons privileged access to citizenship based on their special ties or contributions to the country. The reasons for fast track naturalisation provisions are extremely diverse. It is therefore not easy to interpret a general purpose that states pursue when offering easier naturalisation to widely diverse categories. However, we still think that a general indicator for special naturalisation shows an important characteristic of a citizenship regime. A low score for special naturalisation indicates that a state generally considers the conditions of ordinary naturalisation as the main pathway to citizenship through which all applicants have to pass, which is more likely if it sees itself as a country of regular immigration, whereas a high special naturalisation indicator shows that citizenship is used a tool for many different purposes, some of which are unrelated to immigration.

Belgium (0.53), Greece (0.51) and Turkey (0.52) receive the highest scores for special naturalisation as a result of privileged access for several different categories of applicants. Belgium, for example, offers facilitated naturalisation for foreign-born individuals resident in the country as children, for children and spouses of citizens, former citizens, 'good-faith citizens' (i.e. individuals presumed to be citizens for many years), refugees and stateless persons.

Denmark receives the lowest score for special naturalisation (0.17) because it imposes much more onerous residence and integration conditions and a renunciation requirement on largely the same categories of applicants that get easy access in Belgium.

Nearly all countries provide easier access to citizenship for close relatives of citizens or of naturalisation applicants. Six indicators measure such family-based special naturalisation. Finland was the country that offered the least special privileges to family members (0.14) and Turkey the state that offered the strongest ones (0.74). On average, family-based naturalisation is slightly more generous in the EU-15 (0.38) compared to the EU-12 (0.33).

### Privileged naturalisation based on family ties to citizens or naturalisation applicants



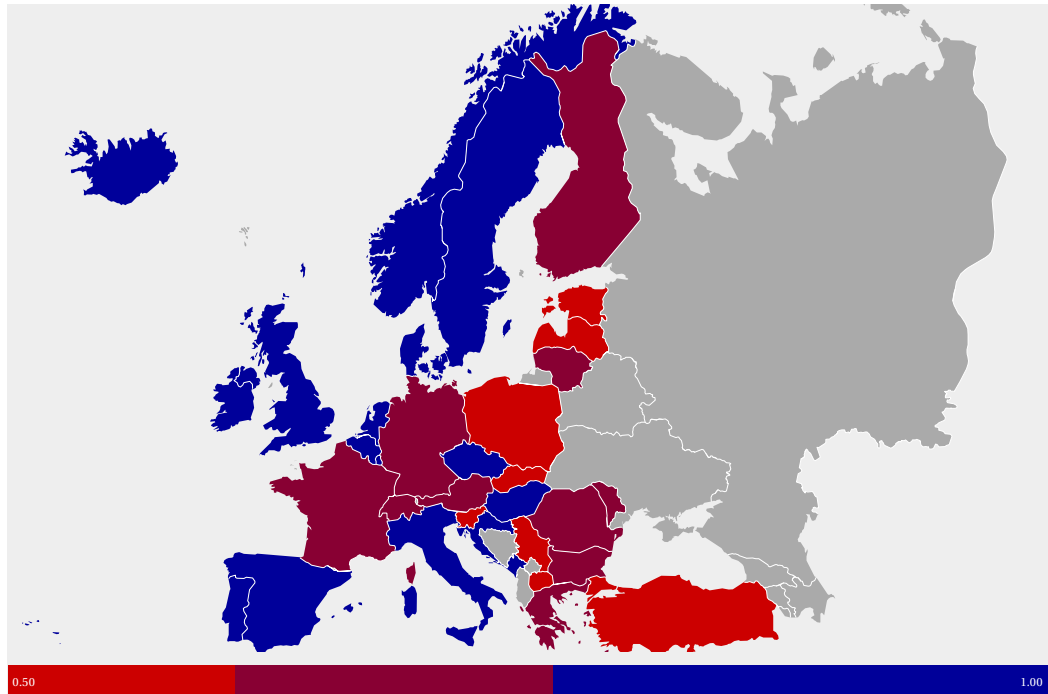
### *Voluntary Renunciation*

Every country in our sample allows for the renunciation of a foreign nationality and, apart from Lithuania, all require in this case the possession or imminent acquisition of another nationality. Several countries, however, permit renunciation only by citizens residing abroad. There are varying degrees of restrictions, with more variation among provisions for renunciation in the country. Many countries accept a declaration of renunciation by individuals who reside abroad, but release residents in the country only on a discretionary basis.

Belgium, Luxembourg, Malta, the Netherlands, Portugal and the United Kingdom allow for renunciation of foreign nationality by declaration both inside the country and while

resident abroad. Many countries provide for the release of nationality only if the individual does not have any unfulfilled military or public obligations to the country. Bulgaria, Czech Republic, Ireland, Moldova, Montenegro, Serbia, Slovenia, Spain and Switzerland allow for renunciation only in the case of residence abroad.

### How easy is it to for citizens residing abroad to renounce their nationality?



### *Involuntary Loss*

Every country in our sample except Poland provides for the involuntary loss of citizenship in certain cases. We have identified twelve modes through which an individual can involuntarily lose his or her citizenship. These modes are here grouped into four categories: loss of ties, disloyalty, noncompliance and family-based loss. We find that unrestricted, automatic loss of citizenship is not common in our sample. The Netherlands receives the lowest involuntary loss score (0.50), which means that the state has relatively stronger powers and more grounds on which to withdraw citizenship. Most countries achieve an overall involuntary loss score of 0.75 or higher, indicating that most countries take measures to ensure that persons are deprived of their citizenship only if they lack a sufficient connection to the country.

Only three countries (Greece, Poland, Portugal and Serbia) do not provide for involuntary loss based on loss of genuine links to the country. Long-term or permanent residence abroad, the acquisition of a foreign nationality, or the establishment of a foreign nationality are considered by many countries to indicate a sufficiently strong loss of ties to the country to justify the withdrawal of nationality, provided that the person has access to another nationality and does not become stateless.

A relatively small number of countries in our sample provide for loss based on perceived disloyalty by citizens. Thirteen countries have no provisions for loss based on these grounds. Those that do impose loss on these grounds vary as to which of the following types of offences merit withdrawal: service in a foreign army, public service for a foreign

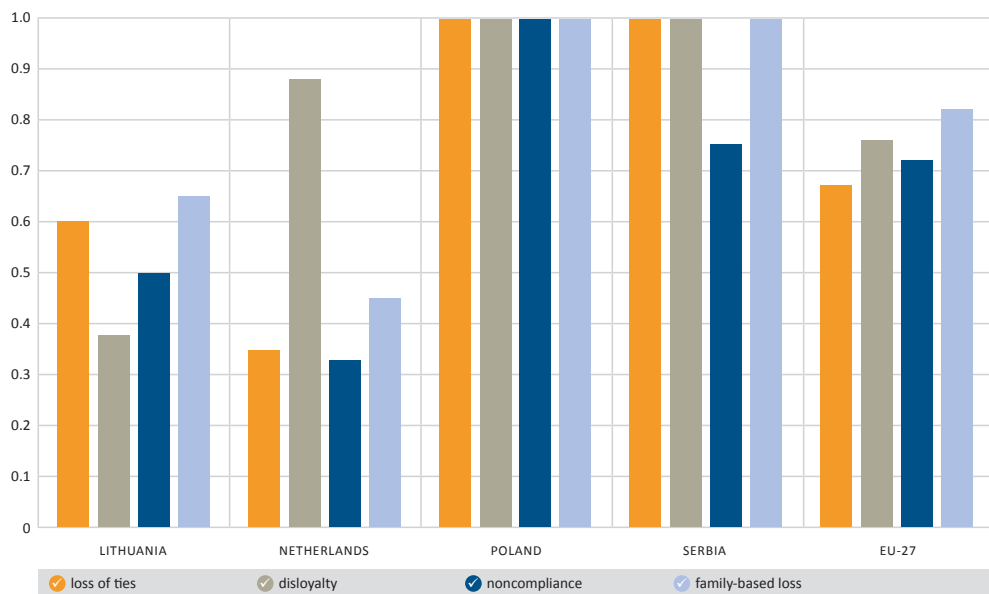
country, disloyalty or treason, or serious but not necessarily treasonous criminal offences. Several countries provide for automatic lapse as a consequence of military or public service in a foreign country.

In many countries non-compliance with certain legal conditions can lead to loss. The retention of a foreign nationality despite a renunciation requirement, or the discovery of fraud in the acquisition of citizenship can lead to loss in all but seven countries in our sample (Croatia, Czech Republic, Iceland, Italy, Poland, Slovakia and Sweden). Only Germany and Lithuania withdraw even citizenship acquired at birth (by *ius soli* in Germany and by *ius sanguinis* in Lithuania) if the person fails to renounce a foreign citizenship before a certain age (of 21 in Lithuania and 23 in Germany).

A majority of countries in our sample have provisions for loss due to changes in the citizenship status of, or relationship with, family members. In the case that citizenship was acquired based on a relationship with a citizen family member, loss of citizenship by that family member or annulment of the family relationship can result in automatic loss in many countries. Similarly, the adoption of a minor by foreign citizens can lead to loss of citizenship by the minor in Belgium, Germany, Romania and Switzerland.

Austria, Croatia and Czech Republic have unrestricted, automatic loss for minor children whose parents lose citizenship. No exceptions are made for individuals who have resided in the country for many years.

### States with strong protection (Serbia and Poland) and weak protection (Netherlands and Lithuania) against involuntary loss of citizenship



Source: CITLAW indicators

# CITIZENSHIP IMPLEMENTATION INDICATORS (CITIMP)

The provisions for ordinary naturalisation measured by CITLAW indicators determine which foreign residents may apply for naturalisation and the conditions for doing so laid down in the law. However, these legal provisions are not the only opportunities and obstacles that immigrants face on the path to citizenship. Administrative procedures are crucially important for the implementation of these legal provisions and guarantee access in practice. In one country, the same naturalisation law often works out differently for different people. Eligible foreign residents must be informed about the law and encouraged to apply. Applicants must be able to prove that they meet the conditions in the law. Various authorities must be willing and able to check the application and come to a final decision. In a few countries, their decision must be strictly based on sufficiently specified conditions in the law. In most, authorities retain wider discretion. The ways that laws are implemented can lead to significant variation in naturalisation rates between similar groups of applicants and over time.

Based on existing literature on the implementation of naturalisation policies, the ACIT project calculated 'Implementation Indicators' (CITIMP), which measure the formal steps of the ordinary naturalisation procedures. Especially where naturalisation is largely discretionary, access will be strongly determined by informal administrative practices that vary across regions, offices and individual civil servants. These informal implementation practices can only be studied through observation, analysis of individual dossiers and interviews with applicants and civil servants. A systematic comparison of a large number of states cannot possibly cover these differences. The ACIT project has therefore focused on aspects concerning the implementation of naturalisation provisions that are formally regulated.

Implementation indicators provide an important link between citizenship law (CITLAW) and acquisition rates (CITACQ). The 38 CITIMP indicators refer only to the implementation of ordinary (residence-based) naturalisation and leave aside facilitated access for special target groups, which often constitute a significant share in the overall number of naturalisations. They are grouped together into five dimensions, which cover all stages of the procedure:

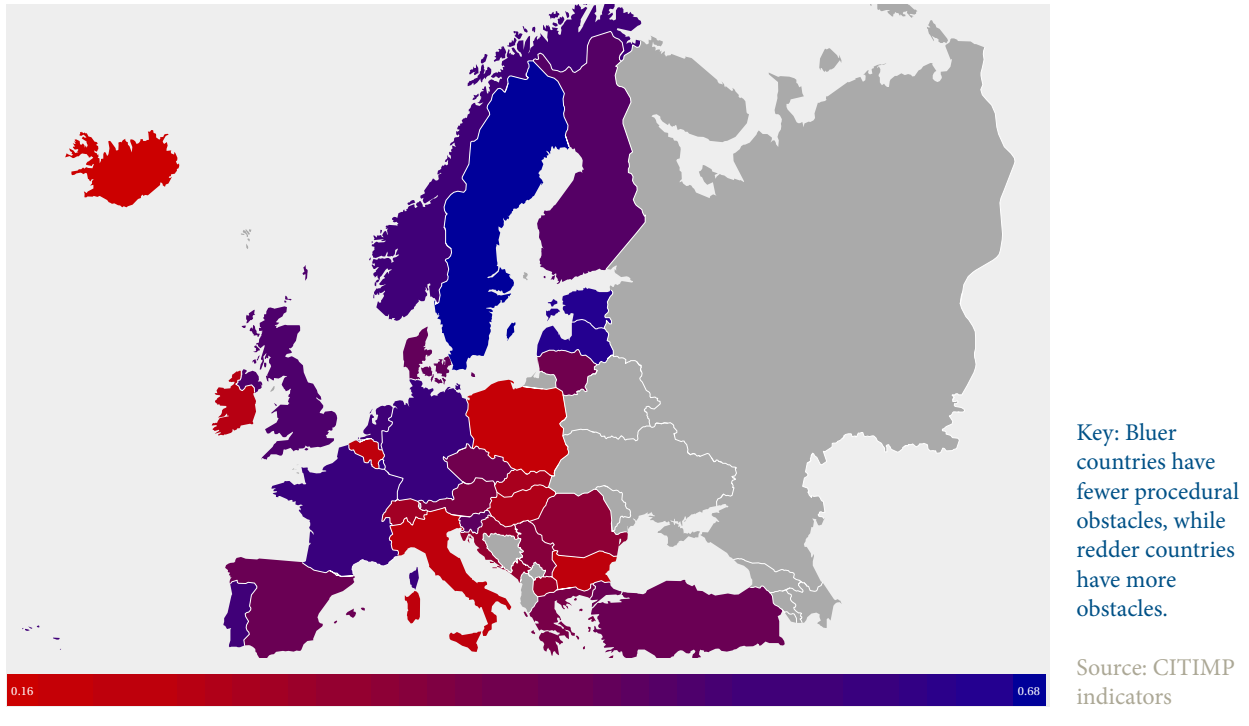
1. *Promotion: how do authorities help applicants to meet the legal conditions?*
2. *Documentation: how do applicants to prove that they meet the legal conditions?*
3. *Discretion: how much room do authorities have to interpret the legal conditions?*
4. *Bureaucracy: how do authorities to come to a decision?*
5. *Review: how strong is judicial oversight of the procedure?*

CITIMP indicators have been calculated for 35 European states, as well as for three German federal states. Using publicly available information, national citizenship experts in each country analysed the procedure in their country as of 31 December 2011. They were asked to produce in-depth narrative reports, fill in a comparative questionnaire and assign preliminary scores for the indicators, which were double-checked by MPG's research coordinator for their clarity and consistency. On a 0 to 1 scale for all indicators, countries with scores closer to 1 promote access or create fewer obstacles in the procedures implementing the legal conditions for ordinary naturalisation. Countries with scores closer to 0 create more obstacles in the implementation of the naturalisation law.



## SUMMARY OF FINDINGS

### Inclusiveness of ordinary naturalisation procedures (CITIMP overall average)



Across Europe, ordinary naturalisation procedures involve as many obstacles as opportunities for immigrants to become citizens. This map presents the overall score for the inclusiveness of the naturalisation procedure, which is the simple average of the five dimensions measured. The overall scores are relatively low (only 0.42 for the EU27). The most inclusive overall procedure is only 'slightly' favourable (score  $\geq 0.60$  and  $< 0.80$ ) for naturalisation in Sweden (the highest score, only 0.68), Estonia, Latvia, Luxembourg, Germany and France. Procedure emerges as 'slightly favourable' in 15 European countries studied.

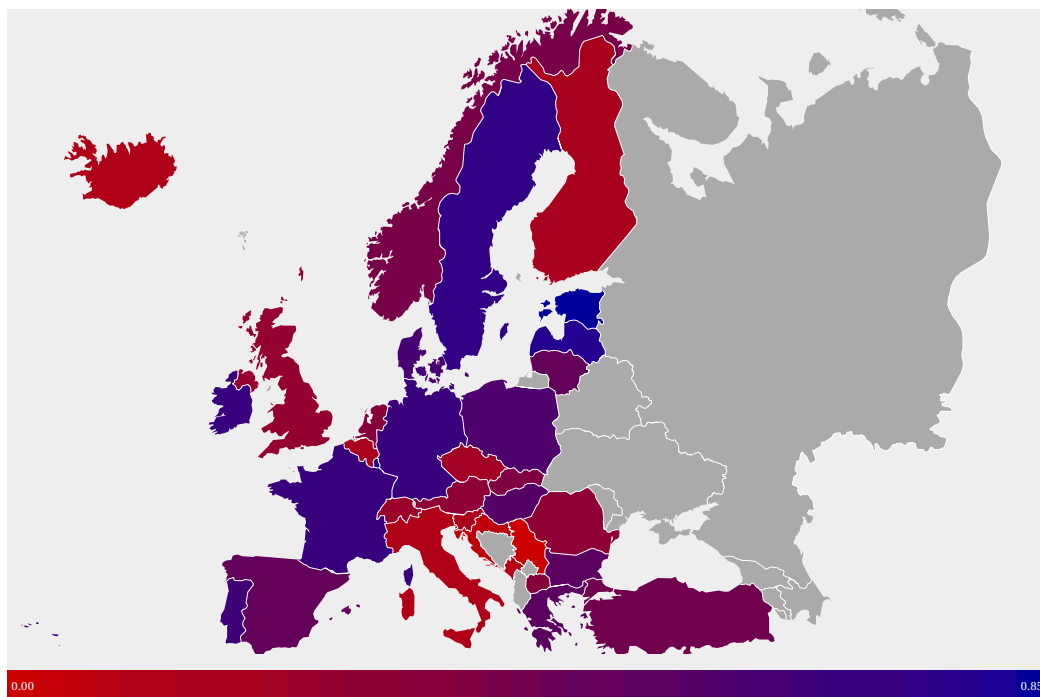
Ordinary naturalisation procedures are generally more favourable in established countries of immigration or other countries that liberalised the law. Countries in the North and Northwest of Europe often have stronger judicial review and, to some extent, less bureaucracy and documentation requirements. New and smaller countries of immigration, mostly in Central or Southern Europe, often have weaker judicial review and more discretion in procedures not only for naturalisation. In addition, countries tend to have more favourable procedures if they liberalised their ordinary naturalisation law in recent years. Compared to other countries in their regions, Finland, Germany, Greece, Luxembourg, Portugal and Sweden have easier procedures, including strong judicial review, limited discretion and bureaucracy and more promotion measures. The absence of liberal citizenship reform helps to explain the complicated procedures in Austria, Ireland, Italy and Switzerland. The two clear exceptions in Europe are Estonia and Latvia, due to the exceptional situation of the many stateless Russophones.

## PROMOTION: HOW MUCH DO AUTHORITIES HELP APPLICANTS TO MEET THE LEGAL CONDITIONS?

### Strength of promotion measures for ordinary naturalisation (strand average)

Key: Promotional measures are stronger in bluer countries and weaker in redder countries.

Source: CITIMP indicators

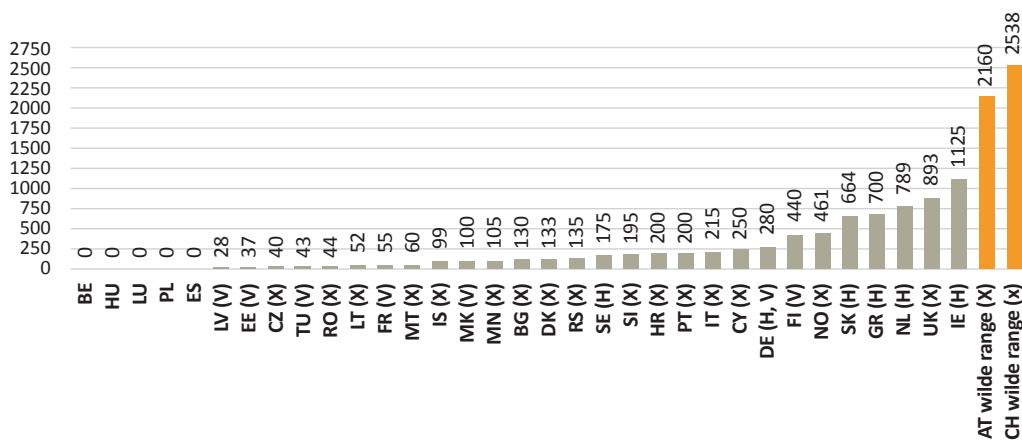


Most of the European countries studied take a limited role in promoting naturalisation. Inclusive laws are not always underpinned by strong promotional policies. The average of these CITIMP indicators leads to relatively low scores on promotion for the EU 27 (0.38) because most countries only provide the ‘basic’ materials at ‘normal’ costs. The EU-15 countries (scoring 0.44) usually have slightly more information and counselling services, easier-to-understand materials and web facilities. The measures were only deemed ‘favourable’ for promoting naturalisation (score  $\geq 0.80$ ) in Estonia and Luxembourg and just ‘slightly favourable’ (score  $\geq 0.60$ ) in Latvia and Sweden.

### Official fee for application/issuance of citizenship title and legal exemptions

X = No exemptions  
H = Exemptions on humanitarian grounds (e.g. refugees)  
V = Exemptions on vulnerability grounds (i.e. poverty, income)

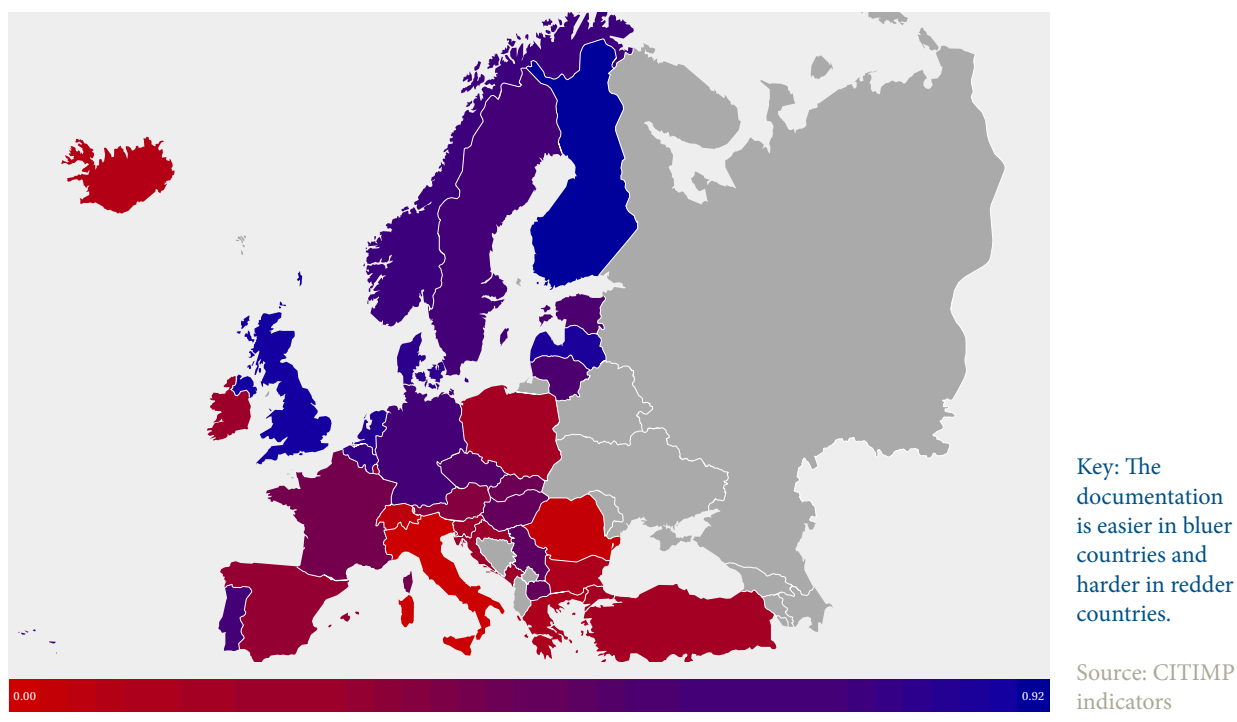
Source: CITIMP indicators



The cost of application is another indicator of the state's willingness to promote naturalisation among all eligible applicants. CITIMP found that the only countries with no official fee for ordinary naturalisation (application or issuance of citizenship) were Belgium (until 2012), Estonia, France, Hungary, Poland and Spain. In 19 other European countries, these costs are often higher than the normal administrative costs in the country, for instance for the issuance of a passport. Austria and Switzerland have a wide range of sub-national fees (the maximums are presented in the chart below).

## DOCUMENTATION: HOW EASY IS IT FOR APPLICANTS TO PROVE THAT THEY MEET THE LEGAL CONDITIONS?

### Ease of documentation required for ordinary naturalisation (strand average)



The documentation required is another significant obstacle for ordinary naturalisation in many states of Europe. Most countries have few exemptions from documentation, complicated requirements for country of origin documentation and few alternatives to prove identity. These hurdles exist across most European countries, particularly in the EU-12 countries (averaging 0.34). Generally, documentation was found to be most demanding in Central and Southern Europe as well as countries like Austria, France, Ireland, Luxembourg and Switzerland. Documentation was most facilitated in the Baltic and Nordic states, in Northwest Europe and the UK. The only countries with a favourable score ( $\geq 0.80$ ) were Finland and the UK.

Required documentation from the country of origin can be expensive, difficult, or impossible to obtain Regularly, applicants must provide a copy of their birth certificate and, in addition, their ID or passport from the country of origin (21 of the countries studied). Most countries also require both translation and legalisation of such documents. Furthermore, many ordinary applicants must also obtain their criminal records from their country of origin (16 countries). For applicants unable to obtain documents from their country of origin, procedures foresee no alternative means to prove their identity in 15 countries studied.

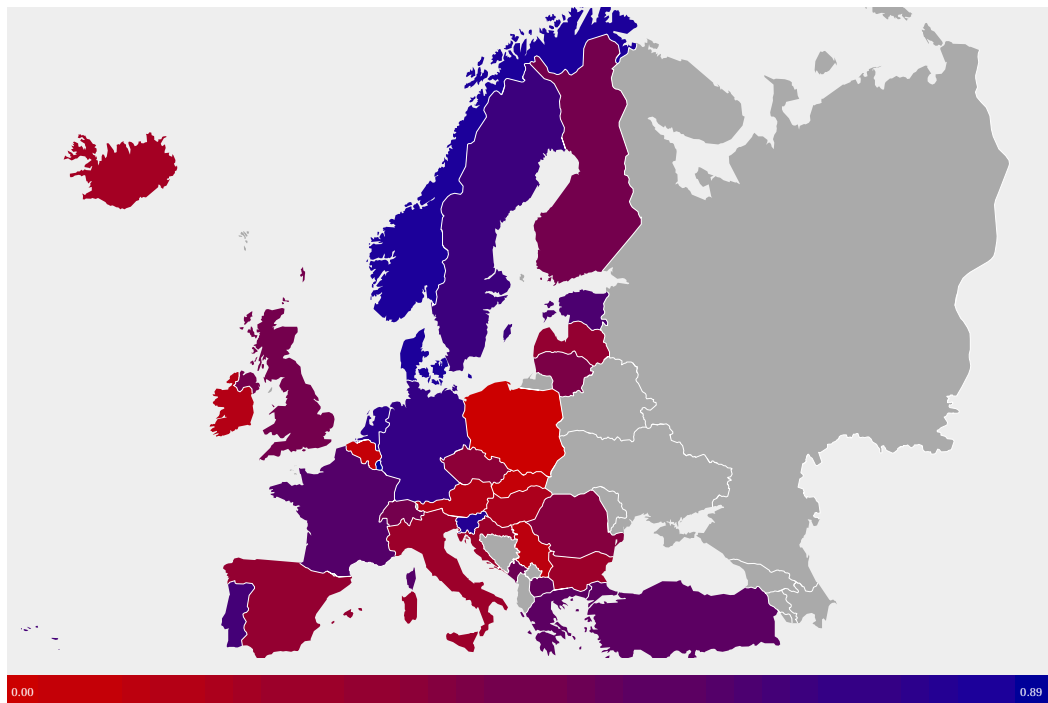
Compared to their other requirements for ordinary naturalisation, countries are on average slightly more flexible with regard to documentation on required language skills. In contrast, most countries prescribe one specific way in which applicants must prove their integration (e.g. test, course, or interview). The assessment of the criminal record does not require documentation from applicants in around half the countries surveyed, because authorities obtain the information themselves. Applicants in most countries with economic resource requirements must provide additional documentation. Most countries with renunciation requirements force applicants to prove that they have renounced their foreign nationality. The European countries studied tend to make few legal exemptions on humanitarian or vulnerability grounds. Such exemptions can be found most frequently for renunciation requirements and, in some cases, for language and integration assessments.

## DISCRETION: HOW MUCH POWER DO AUTHORITIES HAVE TO INTERPRET THE LEGAL CONDITIONS?

### Limits on discretion in the ordinary naturalisation procedure (strand average)

Key: The procedure and requirements are more rights-based and clear in bluer countries and more discretionary in redder countries.

Source: CITIMP indicators



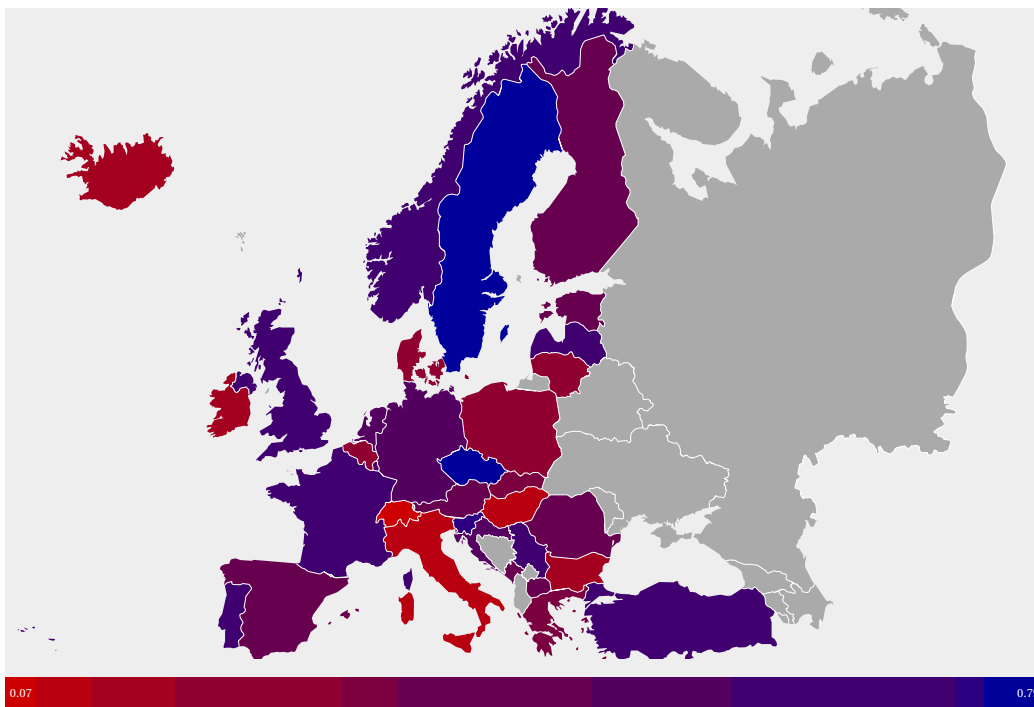
Discretion is a major problem in the ordinary naturalisation procedure in half of the European countries studied. Compared to promotion and documentation, the average of the CITIMP indicators on discretion is only slightly higher for the EU-27 (0.40). Divergences are wide not only between the EU-12 countries (averaging 0.30) and the EU-15 countries (0.50), but also within these groups of countries. Procedures and requirements are generally more discretionary in Central and Southern Europe. Procedures are more rights-based and clear in Northwest Europe. Procedures are generally less discretionary in countries with recent liberal reforms, such as Germany, Norway, Greece, Portugal and Luxembourg.

In 2011, ordinary naturalisation was a right for applicants who met the legal requirements in only twelve of the 35 countries studied. Generally, most countries' requirements tend to be more clear and objective with regard to residence requirement and, to a lesser extent, the criminal record and exemptions from renunciation of a foreign nationality. Economic resource requirements are among the most discretionary requirements across countries.

This widespread discretion may be due to the very nature of the vague wording of the requirement (e.g. self-sufficiency, no recourse to public social assistance). Language and integration assessments are also often among the most discretionary requirements. The ways that language and integration assessments are implemented are strongly related across countries. CITIMP indicators register fewer procedural obstacles on language than integration assessments because countries tend to offer more ways for applicants to prove their language knowledge and more support to learn the language.

## BUREAUCRACY: HOW EASY IS IT FOR AUTHORITIES TO COME TO A DECISION?

### Amount of bureaucracy within the ordinary naturalisation procedure (strand average)



On the extent of bureaucracy in naturalisation procedures, most countries' CITIMP scores were generally low and clustered around the average for the EU-27 (0.49) with little overall difference between the EU-12 (0.46) and the EU-15 (0.50). No clear regional patterns emerge across. The major finding is that it is harder to arrive at consistent and quick decisions when the decision-making authority is politically appointed (parliamentary, ministerial or presidential decision). Procedures headed by ministers or legislatures tend to involve more authorities, less expertise on citizenship and different responsibilities for receiving, checking and deciding on the application. Overall, the ordinary naturalisation procedure is usually less bureaucratic when the deciding authority is a judicial body or a specialised branch of the civil service.

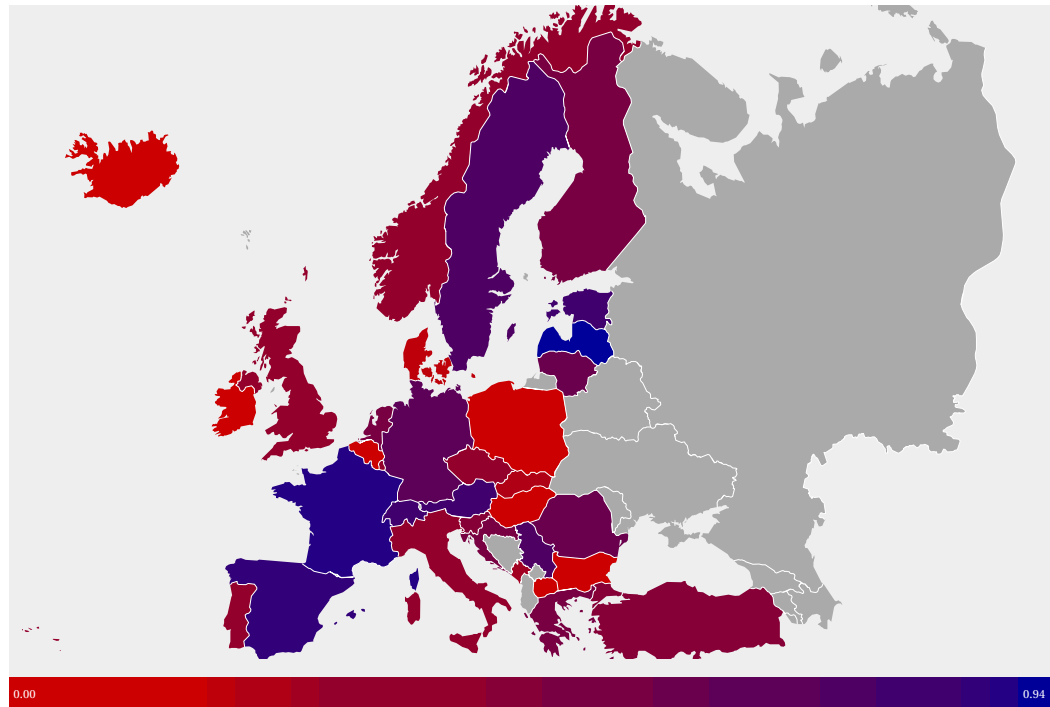
The CITIMP results indicate that most ordinary naturalisation procedures involve some level of bureaucracy. Checking the documentation often requires potentially time-consuming requests for data or advice from other authorities. Most ordinary naturalisation procedures require information or advice from more than one other authority more (in 23 of the countries studied). Legal time limits for processing the application are usually long and ineffectual. Just under half of the European countries studied (15) impose legal time limits, which are generally long and renewable. Across Europe, there are no automatic

effective sanctions or actions if authorities do not respect the legal time limit. Without effective enforcement measures, authorities across Europe regularly exceed the legal time limit, create backlogs and significant delays and uncertainty for applicants.

## REVIEW: HOW STRONG IS JUDICIAL OVERSIGHT OF THE PROCEDURE?

### Strength of judicial review of the ordinary naturalisation procedure (strand average)

Key: Judicial review is stronger in bluer countries and weaker or absent in redder countries.



Source: CITIMP indicators

The average of these CITIMP indicators leads to relatively higher scores on judicial review for the EU 27 (scoring 0.46), because most countries have the right to judicial review built into the naturalisation procedure, although this right is weaker for the language and integration assessment. The one clear pattern across Europe is stronger judicial review in EU-15 countries (0.54) than EU-12 countries (0.43), with a few exceptions, such as the Baltic countries.

In 2011 only seven countries do not have a clear legal right to a reasoned decision or judicial review: Bulgaria, Cyprus, Denmark, Hungary, Iceland, Ireland and Malta. Most ordinary naturalisation procedures across Europe include the right to a reasoned decision and some right to judicial appeal before national courts. One practical obstacle to access judicial review across Europe is the short time limit to lodge an appeal. Appeal decisions can cover substantive aspects as well as procedural aspects in nearly all countries that offer a right to appeal. In terms of powers, judges in only ten countries studied have the power to overturn a rejection and grant citizenship to the applicant.

The standard judicial review procedures hardly ever apply to language or integration assessments. The right to a reasoned decision and judicial review for these assessments is absent in eleven countries. In these countries, immigrants who cannot pass the assessment must either retake it or try to arrange a review informally. Legal guarantees and review are present but significantly weaker in four additional countries. These assessments are generally subject to just some administrative review on procedural aspects.

## CONCLUSIONS

The CITIMP research has taken the first step from a comparative qualitative to a quantitative assessment of the administrative obstacles and opportunities to naturalisation. The results suggest that most countries' procedures contain as many obstacles as opportunities for ordinary naturalisation with many clear patterns across Europe. Promotional measures are often missing or poor quality. Legal exemptions for documentation rarely exist on humanitarian or vulnerability grounds. Documentation from countries of origin is especially complicated for applicants. Not only are most ordinary naturalisation procedures discretionary, but so are many language, integration and economic resource requirements. Most procedures involve potentially long processing times and some amount of bureaucracy, especially when the deciding authority is the executive or legislature. Judicial review is often not guaranteed for language or integration requirements or on specific issues such as discrimination within the procedure.

The correlations emerging within the CITIMP results also deserve greater investigation. For example, European countries with stronger promotional measures tend to have less discretionary procedures. Bureaucratic procedures are related to complicated documentation and the level of state discretion.

Moreover, this paper finds that European countries that facilitate their ordinary naturalisation law do not necessarily facilitate the procedure. No systematic relationship emerges between CITLAW and CITIMP due to significant outlier countries, particularly Estonia and Latvia. Furthermore, there is no significant relationship between the inclusiveness of its requirements (CITLAW) and the strength of promotional measures. The countries with the strongest promotion policies do not necessarily have inclusive laws. There is also no significant relationship between the difficulty of the legal requirements for ordinary naturalisation (CITLAW) and the documentation required.

Whatever the interpretation of the meaning of these results, the descriptive analysis confirms the importance of measuring administrative practices. Looking only at the legal requirements does not indicate what or how many obstacles exist in the naturalisation procedure. The CITIMP research allows researchers to investigate whether or not obstacles in law are related to obstacles in practices in the procedure.

# CITIZENSHIP ACQUISITION INDICATORS (CITACQ)

EUDO Citizenship Acquisition Indicators ([CITACQ](#)) compare percentages of acquisition of citizenship among foreign-born persons in their country of residence, as well as the number of years it takes on average to acquire citizenship.

CITACQ is based on the 2008 Labour Force Survey and includes information on the following indicators for acquisition of citizenship:

- ALL: the percentage of foreign-born persons who have acquired the citizenship of the respective country of residence
- SEX: the percentage of foreign-born females and males who have acquired the citizenship of the respective country of residence
- ORIGIN: the percentage of foreign-born persons from EU and non-EU countries who have acquired the citizenship of the respective country of residence
- AGE AT MIGRATION: the percentage of foreign-born persons who have acquired the 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 the 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 (minimum number of years): the percentage of foreign-born persons who have acquired the 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).
- 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.
- CITACQ indicators have been calculated for 25 European states.

We use the following labels for average indicators (These data can be explored at [CITACQ](#)):

EUROPE: all 36 states

EU 15: the pre-2004 EU member states in our sample

EU 12: the post-2004 accession states

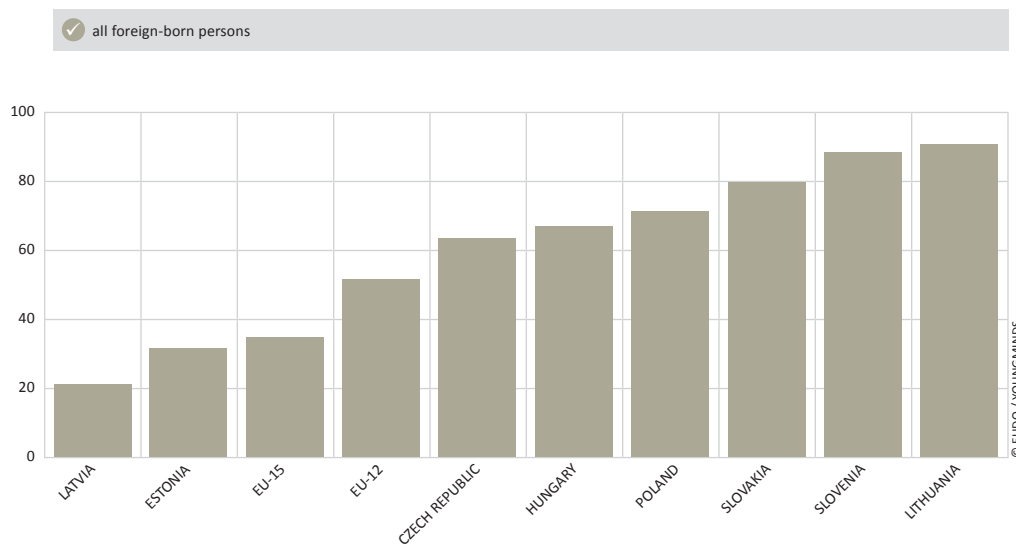
CITACQ indicators differ from annual naturalisation rates, which generally measure the number of naturalisations as a percentage of the resident non-citizen population of the same year. Whereas such naturalisation rates are used to study the variation of new acquisitions across years and countries, CITACQ acquisition rates show the cumulative effect of naturalisations over all previous years on the present resident population of first generation immigrants. They do therefore not necessarily reflect the impact of current citizenship laws on naturalisation rates. The advantage of using survey data instead of annual naturalisation statistics is that only the former include those variables that are crucial for studying the socio-economic profile of naturalised and non-naturalised immigrants.



## SUMMARY OF FINDINGS

Acquisitions of citizenship vary greatly among foreign-born persons in EU15, Switzerland and Norway (in 2008). Rates are lowest in Luxembourg (10%) and highest in Sweden (67%). On average, just 34% of foreign-born persons are citizens of their country of residence.

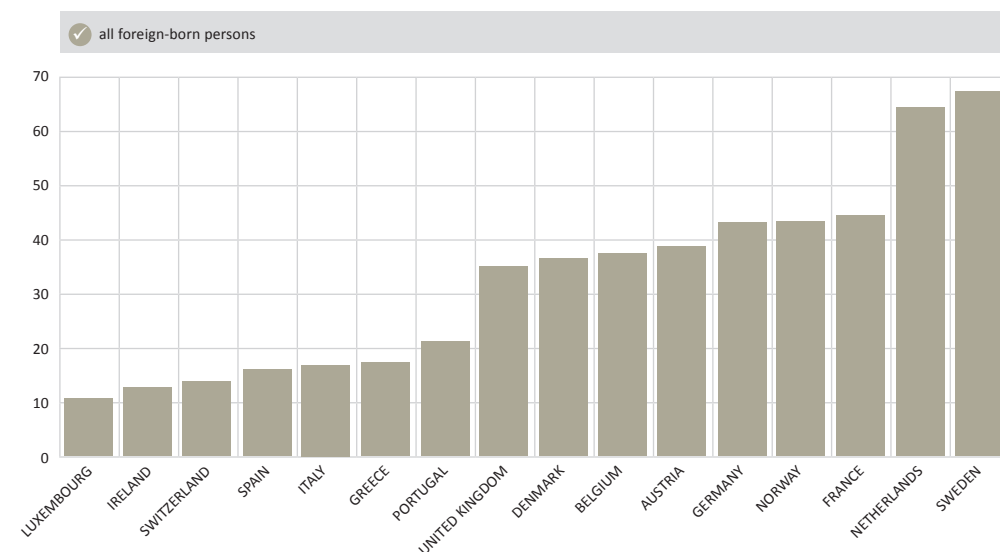
### Rates of acquisition of citizenship among immigrants in EU-15, Switzerland and Norway, 2008 (%)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

Acquisition rates among foreign-born are generally higher in EU-12 (51%) than in EU-15 (34%), though this likely reflects only a selection bias in the survey data. In general the data for EU12 countries is not of sufficient quality to investigate in detail the acquisition rates in these countries due to small samples of immigrants in the used surveys.

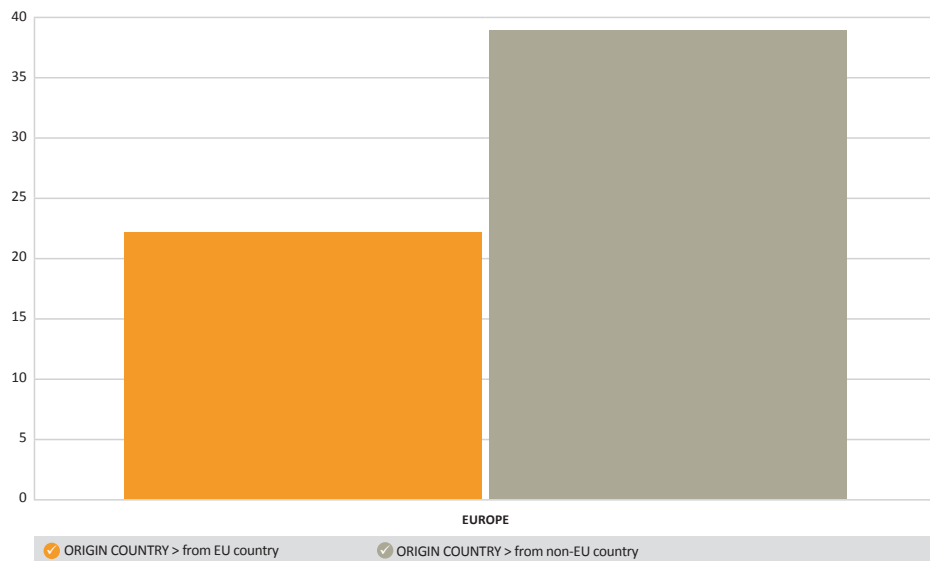
### Rates of acquisition of citizenship among immigrants in EU-12 countries, 2008 (%)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

From the literature on immigrant naturalisation, we know that the origin of immigrants matters significantly. This is confirmed by the CITACQ data which show that immigrants from non-EU countries (42%) often acquire the citizenship more than twice as frequently as those from EU countries (20%).

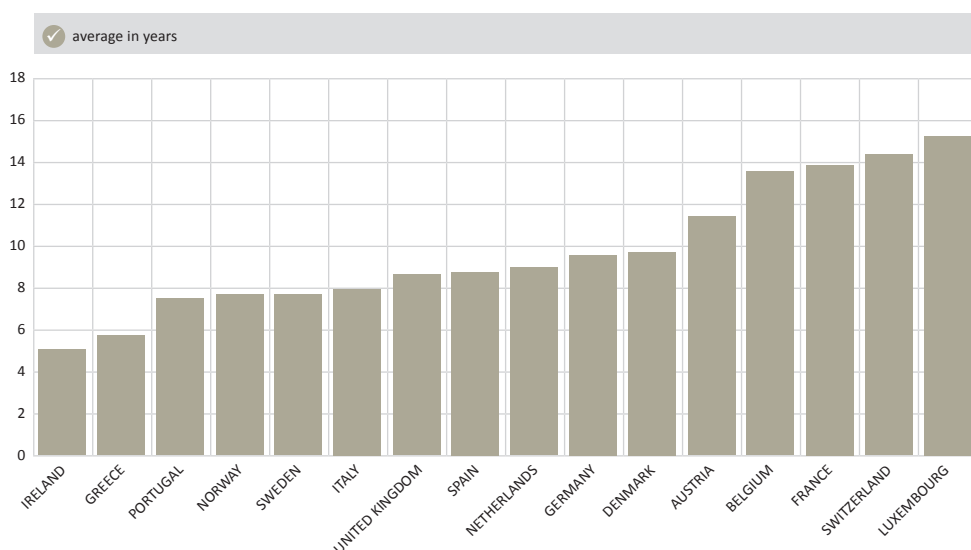
## Rates of acquisition of citizenship among immigrants from EU and non-EU countries of origin, 2008 (%)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

We find variation not only between the rates of immigrants who naturalise across European countries, but also with regard to how long it takes to naturalise. This reflects probably differences in policies on the acquisition of citizenship. On average, we find that it takes around 10 years for foreign-born persons to acquire the citizenship of their country of residence, within EU-15 countries. In Luxembourg it takes almost 15 years on average to naturalise. The lowest average time to naturalisation, around five years, was found in Ireland around 5 years, mostly due to the now-defunct entitlements for spouses and parents of Irish nationals. In the latter case (Ireland) the fast naturalisation is likely an illustration of the selective naturalisation procedure. This is similar as e.g. in Portugal in 2008, though here it the naturalisation procedure has become much more inclusive since the changes in 2006.

## Average number of years of residence until naturalisation among immigrants in EU-15, Norway and Switzerland, 2008 (average in years)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

The data not of sufficient quality to investigate in detail acquisition rates in EU12 countries due to small samples of immigrants in surveys.

## MULTIVARIATE ANALYSIS: EXPLAINING NATURALISATION RATES IN WESTERN EUROPE

Source: Vink, M., T. Prokic-Breuer and J. Dronkers. Immigrant Naturalisation in the Context of Institutional Diversity: Policy Matters, But to Whom? *International Migration*, 2013 (forthcoming).

Why do some immigrants naturalise and others not? In order to better understand the relevance of citizenship policies for immigrant naturalisation rates, we also perform a multivariate analysis where we take into account where an immigrant is from, in which European country he or she resides, as well as additional individual variables, such as age, gender, marital status, education and employment status.

While much of the literature emphasizes the importance of country of origin features and individual characteristics, there is surprisingly little systematic research on the relation between citizenship policies in destination countries and citizenship uptake among immigrants. Most research in this field draws on data from single country cases and has limited comparative scope. In this paper we analyse citizenship uptake among first generation immigrants in 16 European countries. We apply an explicit cross-national perspective and argue that immigrant naturalisation in Europe is determined not only by country of origin features and individual characteristics, but also by the opportunity structure set by the citizenship laws in the countries of origin and destination.

More accessible policies on acquisition of citizenship matter little for immigrants from highly developed countries, particularly newcomers, but these laws matter significantly for immigrants from less developed countries. As the composition of immigrant populations and citizenship policies across Europe vary significantly, this comparative design is ideally suited to testing the relative importance of factors related to country of origin, individual background and legal opportunity structure.

For this analysis, we make use of a pooled dataset from the European Social Survey, which includes information on individual characteristics of respondents, including their country of origin.

Key findings: variation in acquisition rates among immigrants is mainly explained by:

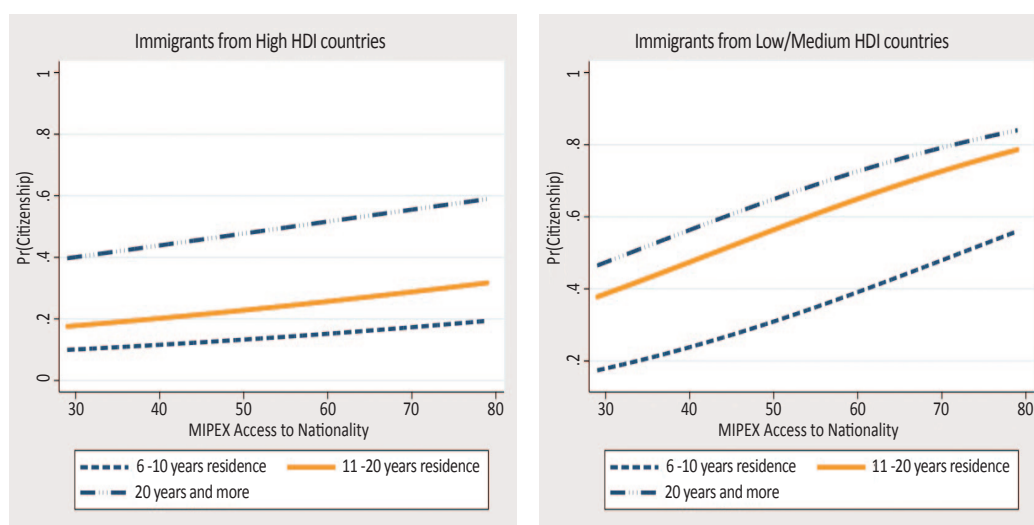
- Socio-economic development of countries of origin
- Socio-economic status (immigrants with employment are more likely naturalised)
- Policy on acceptance of dual citizenship of country of origin
- Acquisition of citizenship policies in the country of destination (see graphs)
- Marital status (married immigrants are more likely naturalised)
- Gender (female immigrants are more likely naturalised)
- Use of native language at home (immigrants who speak the language of the destination country at home are more likely naturalised)

The most important finding of this paper is that the level of development of the country of origin is a crucial factor in understanding the relationships between, on the one hand, citizenship policies and, on the other hand, individual-level features and citizenship acquisition rates in Europe. To arrive at this conclusion, our analysis first showed that demand for citizenship is influenced primarily by where immigrants are from. The level of human development of countries of origin accounts for the vast difference among immigrants in their likelihood to naturalise. Immigrants in Europe coming from medium and under-

developed countries are on average 2.5 times more likely to have the citizenship than those originating from highly developed countries. These findings are in line with the literature and can be understood in terms of the perceived payoff attached to citizenship. Acquiring the citizenship of the country of residence has a much higher potential pay-off for immigrants originating from low-income countries than for those coming from developed and more prosperous societies. In this context, securing residence status in a country which offers a vast increase in security and life chances is a crucial incentive for immigrants to apply for naturalisation.

Because large differences exist between immigrants in their motivation to naturalise, the impact of citizenship policies varies for these two groups. In line with this idea, the legal framework set by the citizenship laws in the countries of origin and destination accounts for a difference in naturalisation rates, yet only for immigrants from less developed countries. In fact, not only are these immigrants twice as likely to naturalise in countries with very inclusive citizenship policies, but they are also the ones particularly affected by these policies. The graphs below show 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).

### Probability of acquisition of citizenship in EU-15 countries



Source: Vink, Prokic-Breuer and Dronkers, 2013

Second, we have shown that this origin factor is also related to the role of individual characteristics in immigrants' decisions to naturalise. Our differentiated analyses of the acquisition of citizenship among two immigrant groups, from highly and from medium/under-developed countries, show that different determinants play a role for different groups. Socio-economic features such as education and employment status are indeed significant for the uptake of citizenship, but only for immigrants from less developed countries. While we can hypothesize about the underlying dynamic, further research would be needed to investigate whether the importance of human capital for this group is because citizenship acquisition has a higher payoff for them or because they are better able to understand and manage the naturalisation procedure.

As for immigrants coming from highly developed countries, they are not only less likely to naturalise, but whether or not they do so also seems to depend on few factors. If

immigrants from highly developed countries naturalise at all, then years of residence play a crucial role in the process. For these immigrants, socio-economic and demographic features only make a marginal difference in their decision to naturalise compared to the relevance of the time spent in the country of destination.

In other words, we conclude that immigrants' likelihood to naturalise does not only depend on where they are from, but also on where they go, since the citizenship policy in the destination country has a significant impact. However, crucially, while citizenship policies clearly affects naturalisation rates among immigrants, this relation is conditioned by the level of development of the origin countries of immigrants. Hence, for the question of how much it matters where one goes, it matters significantly where one is from.

## APPENDIX: TECHNICAL DESCRIPTION OF DATASETS

CITACQ indicators:

- Source: Labour Force Survey Ad Hoc Module 2008 on the labour market situation of immigrants and their descendants (Eurostat). Eurostat has no responsibility for the results and conclusions which are those of the researchers.
- Target population: all persons aged between 15 and 74 (or 16 to 74 in countries where the target group for the core LFS is from 16 years old)
- All numbers presented in CITACQ are based on at least 100 respondents. Where sample size is too small, this is indicated in the dataset by 'na' (not available).
- Data presented on 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, United Kingdom.
- In Germany information on country of birth is missing for all respondents. To determine the region of origin (EU or non-EU), we have used the country of birth of the father and/or mother of the respondent ('EU' if either mother and/or father born in EU country).
- No data available (data not provided by Eurostat): Finland.
- Data excluded (sample size too small for descriptive purposes): Bulgaria, Malta and Romania.

Multivariate analysis:

- Source: European Social Survey, pooled dataset of waves 1-5 (2002-2010).
- Includes data on immigrants in following 16 countries: Austria, Belgium, Germany, Denmark, Finland, Spain, France, The United Kingdom, Greece, Ireland, Luxembourg, Switzerland, Netherlands, Norway, Portugal and Sweden.
- Includes data only on individuals who themselves and both of whose parents, were born outside the survey country.
- Includes data only on immigrants who reside for at least five years in the destination country.
- Includes data only on individuals who were at least 18 years old on arrival.
- Final dataset contains 7.489 immigrants

# CITIZENSHIP INTEGRATION INDICATORS (CITINT)

ACIT has developed ten core indicators to measure the inclusion of immigrants (CITINT indicators) within and across countries in Europe and to assess the state of societal cohesion in the EU. The ACIT project is primarily concerned with the effect of the acquisition of citizenship on the integration of first-generation immigrants. We compare socio-economic outcomes of naturalised immigrants and non-naturalised immigrants with those of native-born citizens to measure integration. Third-country immigrants face distinct cultural and legal barriers to integration compared with EU citizens who exercise their right to free movement. Consequently, we also consider outcome differences in terms of region of birth (EU versus non-EU). Indicators are organized into three categories: labour force participation, social exclusion and living conditions.

In many cases we report the extent of *differences* between groups of immigrants and the native citizens of their country of residence, rather than *absolute* values of the indicators. A direct comparison of the absolute values would not necessarily isolate differences that relate to citizenship status from general differences between countries that affect everybody including native citizens. In order to assess immigrant integration, we first establish the *relative* positions of groups of immigrants compared with the native citizens in the same country and make cross-national comparison of these positions.

## LABOUR FORCE PARTICIPATION

### *Description of Indicators*

Participation in the local labour force is a fundamental indicator of immigrant integration. Employment contributes to economic security, but also supports social inclusion, civic involvement and health among immigrants. We use unemployment, levels of economic activity and over-qualification indicators to evaluate the nature of immigrant labour force participation relative to natives in Europe. Labour Force Participation indicators are derived from the 2008 EU Labour Force Survey Ad Hoc Module on ‘The Labour Market Situation of Immigrants and Their Descendants’ (EU-LFS).

### *Summary of Findings*

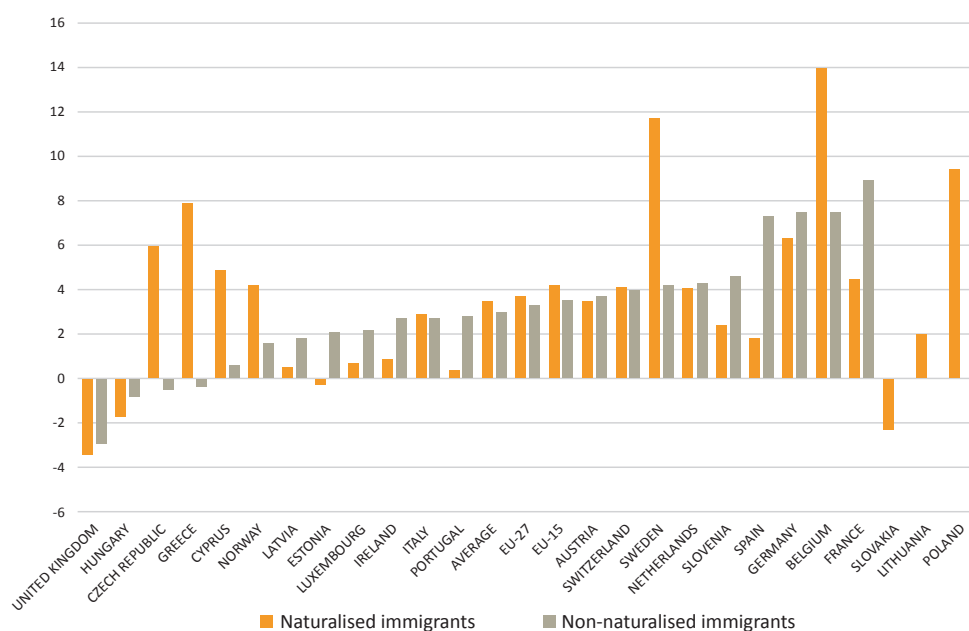
Our analysis shows that immigrants in Europe are more likely than natives to be economically active, but are also more likely to be unemployed or overqualified for their jobs.

In most countries in our sample, immigrants are more economically active than native-born citizens. Across the EU-15, both non-naturalised immigrants and naturalised immigrants are more economically active than natives. In the EU-12 states, naturalised immigrants are less economically active than non-naturalised immigrants and natives.

Though immigrants are more likely than natives to be active in the local labour force, they are also more likely to be unemployed. In most countries in the European Union, unemployment is higher among foreign-born than among native-born citizens (except in the UK and Slovakia). The extent of this varies between naturalised and non-naturalised

immigrants. In four EU states (Sweden, Greece, Belgium and Cyprus) plus Norway and Switzerland, the rate of unemployment is higher amongst naturalised than non-naturalised citizens – substantially so, in the first three cases. In the majority of other European states for which data are available, the reverse is true, consistent with the assumptions that naturalised citizens (especially those who have been in the country of destination longer), reap associated benefits (better social integration, improved language skills, increased opportunities for education and training in the host country, etc.) and that citizenship provides legal access to a wider pool of jobs.

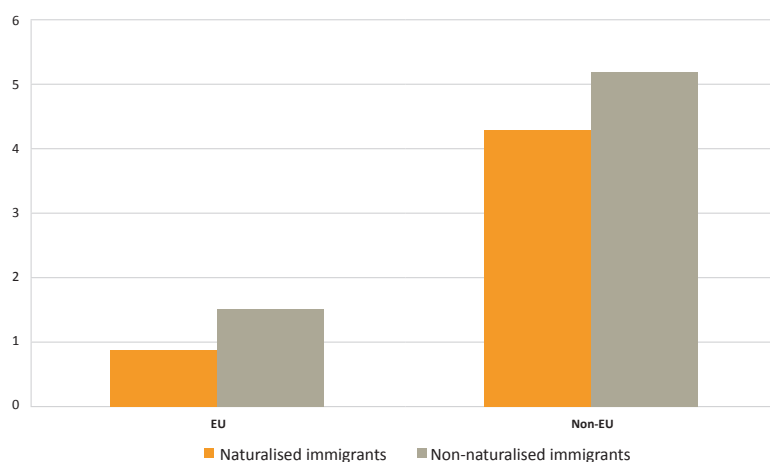
### Unemployment Rates, Gap between Immigrants and Natives, 2008 (%)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

Both amongst citizens and non-citizens in the countries of destination, the unemployment rate is generally higher for non-EU migrants than EU citizens using their free movement rights. This suggests that country and/or region of origin is also an important factor shaping labour market outcomes for immigrants; immigrants from outside the EU, who may need to meet more extensive criteria to obtain work and residence permits, have greater incentive to naturalise in the country than EU citizens who have secured residence and employment rights.

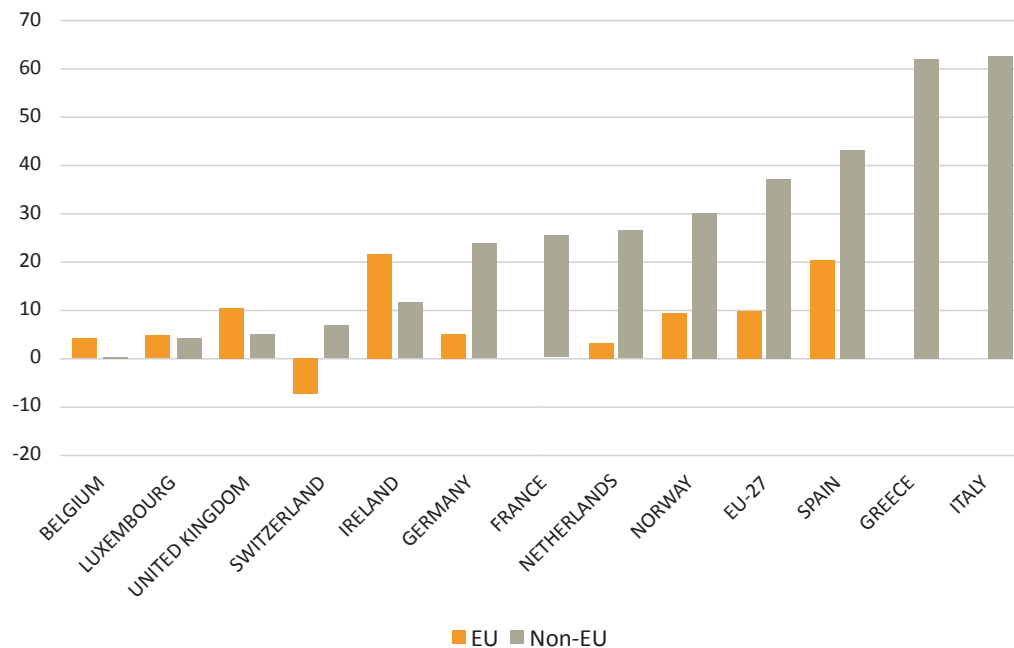
### Unemployment Rate among Immigrants, by Region of Origin and Citizenship Status, 2008 (% Gap with Natives)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

Over-qualification rates are much higher among immigrants than among native-born citizens.<sup>5</sup> This is true for both EU citizens and third-country nationals. Gaps between immigrants and natives are larger for this indicator than for most other indicators in our study. Over-qualification rates are particularly high among non-naturalised immigrants in the southern European countries of Italy, Greece, Cyprus and Spain.

### Over-qualification Rates, Gaps with Natives, Non-naturalised Immigrants by Region of Origin, 2008 (%)



Source: European Commission, Eurostat, Labour Force Survey Ad Hoc Module, 2008

## SOCIAL EXCLUSION

### Description of Indicators

Social exclusion of immigrants is closely related to non-participation in the labour force. Social exclusion, broadly defined, means being unable to participate in society because of a lack of material and non-material resources (Eurobarometer 2010). There is no single measure for poverty and social exclusion. Using both 2008 LFS data as well as 2008 cross-sectional EU Statistics on Income and Living Conditions (EU-SILC), we derive three basic indicators to evaluate the degree of social exclusion of immigrants in Europe: levels of education, the share of immigrants having difficulty making ends meet and the share with unmet healthcare needs.

### Summary of Findings

Generally, immigrants in Europe disproportionately share the demographic characteristics of groups at risk of social exclusion. Non-naturalised immigrants have lower levels

<sup>5</sup> The overqualification rate is calculated as the share of the population aged 25 to 74 with a high educational level (university degree or higher) working in low or medium-skilled jobs (as defined by the International Standard Classification of Occupations) among employed persons having attained a high educational level of the same age group. Small samples of naturalised citizens for several countries prevent comparison of over-qualification rates between naturalised and non-naturalised immigrants

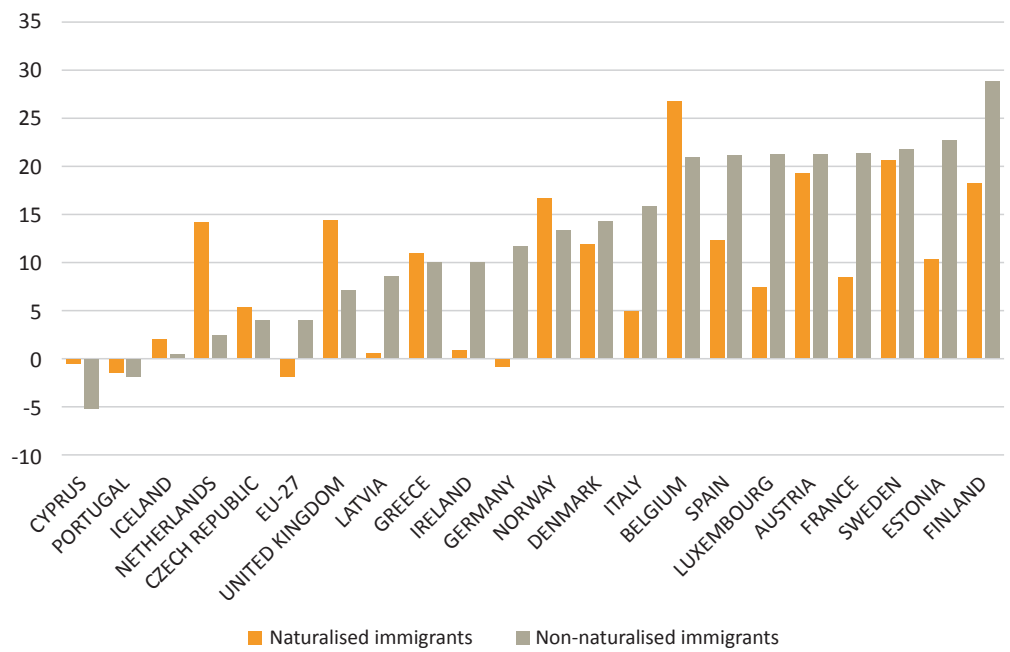


of educational attainment than naturalised and native-born citizens in most countries in Europe,<sup>6</sup> though gaps between population groups are fairly small in most countries.

There is a variance by citizenship status in the educational attainment of EU and non-EU immigrants. Among non-naturalised citizens, immigrants from other EU Member States generally have slightly higher levels of educational attainment than immigrants from outside the EU. This is true in the majority of countries in our sample, except for the Czech Republic, Hungary, Ireland and Luxembourg. Among naturalised citizens, the trend is not as clear. In Austria, Belgium, Germany, Italy, the Netherlands, Switzerland and the UK, EU citizens have higher mean levels of educational attainment than immigrants from outside the EU. In France, Hungary, Ireland and Sweden, the reverse is true.

First-generation immigrants have more difficulty paying usual household expenses than natives. In the majority of cases, the gaps between naturalised immigrants and natives are smaller than those between non-naturalised immigrants and natives, though there are several exceptions to this pattern. There is also a geographical aspect to the distribution: both amongst naturalised and non-naturalised immigrants, the percentage of respondents indicating that they have difficulty meeting their monthly expenses is higher among immigrants that originate from outside the EU than amongst intra-EU migrants.

**Difficulty Making Ends Meet, Gaps with Natives, 2008 (% of naturalised and non-naturalised immigrants indicating difficulties, relative to natives)**



Source: European Commission, Eurostat, EU-SILC, 2008

Small sample sizes limit the number of countries included in the analysis of unmet health-care needs, but in the countries for which reliable data are available, immigrants are more likely to have had an unmet healthcare need than natives. However, gaps between natives and immigrants are quite small—generally less than five percentage points. Non-naturalised immigrants are more likely to have had an unmet healthcare need than naturalised immigrants.

6 The exceptions are the Czech Republic, Denmark, Portugal and Sweden (as well as Norway outside the EU), where foreign immigrants have the highest mean levels of educational attainment compared with natives and naturalised immigrants. The difference is generally very small, however.

## LIVING CONDITIONS

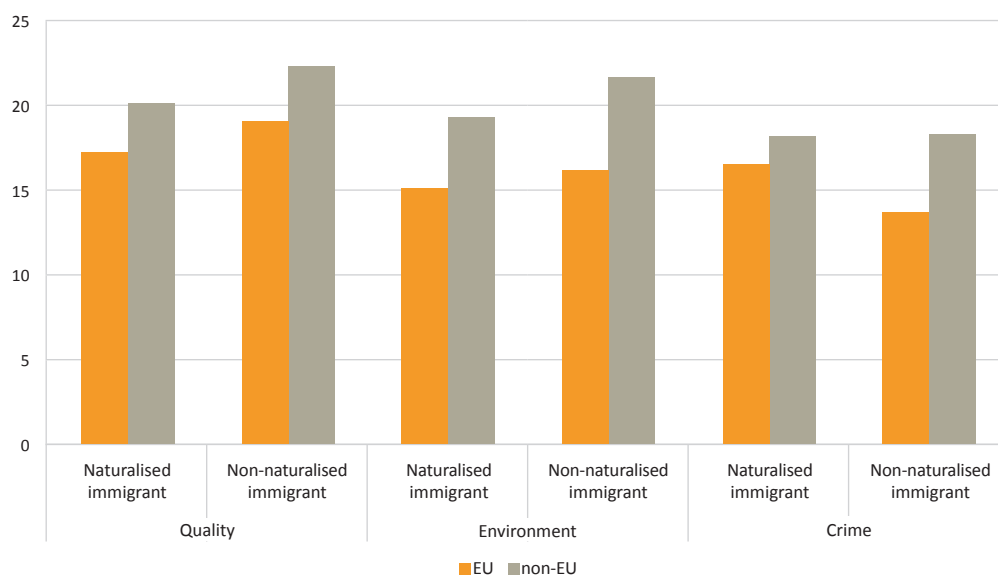
### Description of Indicators

Looking beyond basic economic circumstances, we turn to more qualitative evaluations of living standards – in particular, the quality of housing in which people dwell. Integration in housing involves more than simply comparing the quality of housing conditions between immigrants and natives in quantitative terms – e.g., size, facilities, use of social housing, etc. – although these are in themselves useful indicators. Stability in residence can help to foster community links which in turn impact positively upon integration in other ways. We use four core indicators to measure integration in the area of housing: quality of dwelling, levels of property ownership, social housing occupation and housing cost burden. Living conditions indicators are derived from 2008 EU-SILC data.

### Summary of Findings

Immigrants in general are more likely than natives to live in housing in areas where pollution, grime, other environmental problems, crime, violence, or vandalism are issues for the household. Non-naturalised immigrants are more likely than naturalised ones to live in housing with these problems. For all three indicators of poor dwelling situations, gaps between natives and immigrants are quite small (less than five percentage points). Immigrants from outside the EU are more likely than EU citizens to live in low quality housing. This is true for all three indicators of poor dwelling conditions.

### Poor Dwelling Indicators, Gaps with Natives, EU-27 Averages, 2008 (% of naturalised and non-naturalised immigrants indicating problems, relative to natives)

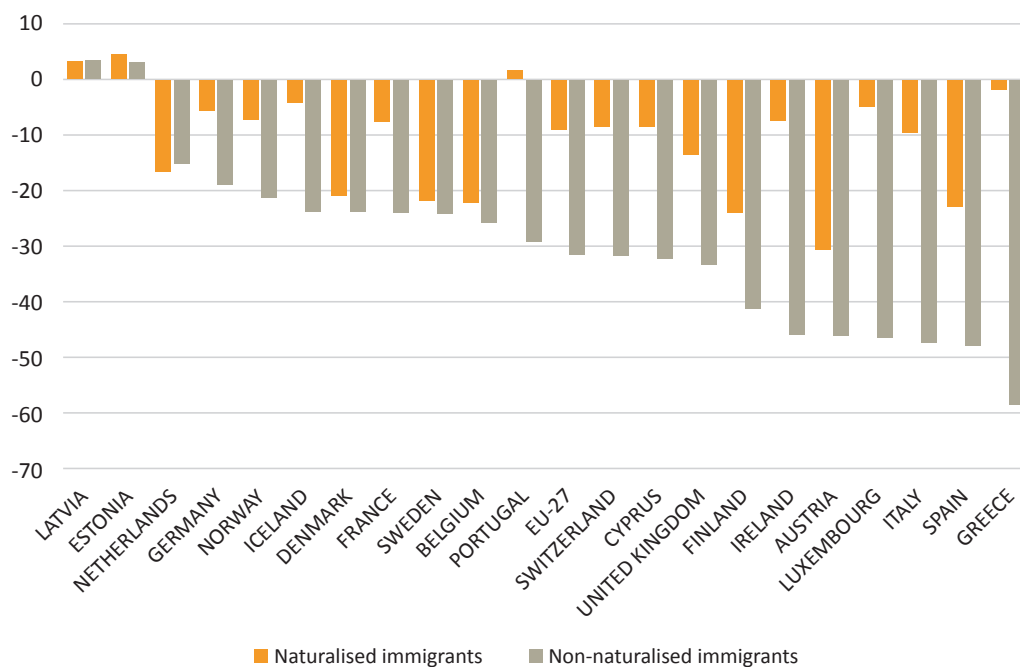


Source: European Commission, Eurostat, EU-SILC, 2008

Non-naturalised immigrants are much less likely than natives to live in accommodation owned by someone in the household than either natives or naturalised citizens. This is largely in line with expectations, given that naturalised citizens are more likely to envisage a long-term relationship with their new country of citizenship. Gaps between naturalised immigrants and natives are particularly large in Spain, Luxembourg, Ireland and Portugal. Gaps between non-naturalised immigrants and natives are fairly large in most countries in our sample, with the most significant differences in Greece, Spain, Italy, Luxembourg

and Austria. Estonia and Latvia are the exceptions to this rule, but this may be related to the particular nature of these two countries, as many of the non-citizens are long-term residents who were already living as Soviet citizens on the territories of these two states at the time of the dissolution of the USSR in 1991 and have not acquired the citizenship despite long-term settlement.

### Level of Property Ownership, Gaps with Natives, 2008 (%)



Source: European Commission, Eurostat, EU-SILC, 2008

Immigrants from within the EU are more likely than immigrants from outside the EU to live in accommodation owned by someone in the household in most countries in our sample. In several countries in our sample, the difference in percentage points is larger than 10.

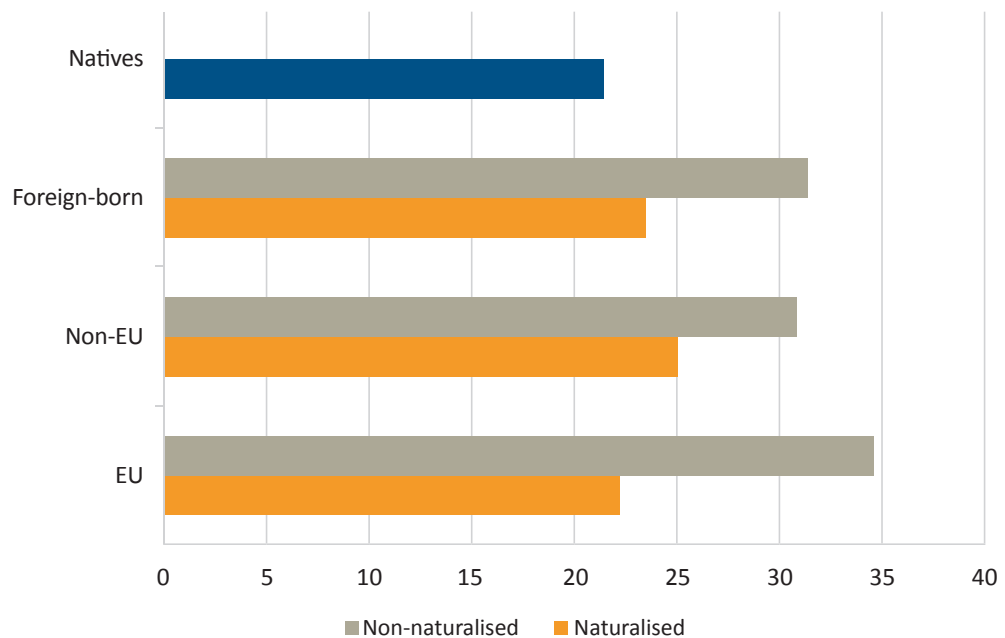
Missing data limits our analysis of immigrant clustering in social or public housing to only a few countries, but from those countries a clear trend emerges: immigrants are more likely to live in social housing than natives. There is, however, no clear-cut pattern as to whether naturalised immigrants are more or less densely congregated in social housing than non-naturalised ones. In Finland (where social housing numbers in general are much higher than average), France, Germany, Italy and Spain, non-naturalised immigrants are more likely to live in social housing than naturalised immigrants. In Austria, Belgium, Ireland and the United Kingdom, the reverse is true. Ireland is exceptional insofar as natives are more likely to live in social housing than either group of immigrants.

It is important to note here that there is variation across Member States in policies regarding access to social benefits and housing allowances, affecting cross-country variation in indicator values. Similarly, some countries provide housing allowance to certain groups of immigrants, such as refugees and asylum seekers, which might affect intra-country variation in social housing occupation. Whilst social housing occupation is generally an indication of poverty and social exclusion, the higher levels of social housing occupation amongst naturalised immigrants in some countries might paradoxically be a sign of greater integration into the system, insofar as it may be difficult for third-country nationals who are not asylum seekers or in special categories to access social housing and meet the qualifications for its allocation.

In the few countries where small sample sizes do not prevent comparison between EU and non-EU citizens (Austria, Belgium, France, Finland and the UK), immigrants from outside the EU are generally more likely to live in social housing than immigrants from other EU countries.

Immigrants spend a larger share of their monthly income on housing costs than native-born citizens in Europe. Preliminary analysis suggests that higher housing cost burden among immigrants is due to not only lower disposable incomes for this group, but also generally higher monthly housing costs. Naturalised immigrants spend only slightly more (between zero and five percentage points) than native-born citizens, but non-naturalised immigrants in most countries are spending a share of their income that is close to or more than ten percentage points higher than the share that natives spend. Immigrants from outside the EU spend a larger share of their monthly income on housing costs than immigrants from the EU. The gap between non-EU and EU citizens is less pronounced among those who have naturalised.

### Housing Cost Burden, 2008 (% of monthly income spent on housing costs)



Source: European Commission, Eurostat, EU-SILC, 2008

## APPENDIX: TECHNICAL DESCRIPTION OF DATASETS

Indicators are organized into three categories: labour force participation, social exclusion and living conditions.

### List of CITINT indicators

AREA OF INTEGRATION	INDICATOR	DATA SOURCE
<b>Labour Force Participation</b>	Unemployment rate	LFS 2008 Ad Hoc Module
	Economic activity rate	LFS 2008 Ad Hoc Module
	Overqualification rate	LFS 2008 Ad Hoc Module
<b>Social Exclusion</b>	Education level	LFS 2008 Ad Hoc Module
	Difficulty making ends meet	EU-SILC 2008
	Unmet healthcare need	EU-SILC 2008
<b>Living Conditions</b>	Poor Dwelling	EU-SILC 2008
	Levels of property ownership	EU-SILC 2008
	Social housing occupation	EU-SILC 2008
	Housing cost burden	EU-SILC 2008

Eurostat has no responsibility for the results and conclusions which are those of the researchers.

### LABOUR FORCE PARTICIPATION

- Source: Labour Force Survey Ad Hoc Module 2008 on the labour market situation of immigrants and their descendants (Eurostat).
- Target population: all persons aged between 15 and 74 (or 16 to 74 in countries where the target group for the core LFS is from 16 years old).
- All numbers presented in CITINT are based on cases where the sample of immigrants is more than 100 OR the cell size (the number of respondents counted for the particular category) is more than 20.
- Data presented on following European countries: Austria, Belgium, Cyprus, Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom.
- In Germany information on country of birth is missing for all respondents. To determine the region of origin (EU or non-EU), we have used the country of birth of the father and/or mother of the respondent ('EU' if either mother and/or father born in EU country).
- No data available (data not provided by Eurostat): Finland.
- Data excluded (sample size too small for descriptive purposes): Bulgaria, Denmark, Iceland and Romania.

Since 1999, a set of questions has been added to the EU-LFS on a yearly basis. In 2008, the *ad hoc* module examined the labour market situation of migrants and their immediate descendants. The recent economic crisis in Europe renders employment and activity data from 2008 somewhat dated. Still, without data on acquisition of citizenship and country of birth of parents, it would be impossible to distinguish first generation migrants (individuals who are themselves and both of their parents born outside of country of destination) from second-generation migrants and citizens born abroad to native parents. Therefore, despite the recent and significant changes in the economic climate in Europe, we see the 2008 data as preferable to more recent EU-LFS data that conflates several categories of foreign-born and non-citizen respondents.

## SOCIAL EXCLUSION & LIVING CONDITIONS

Indicators in the social exclusion and living conditions categories are derived from the 2008 cross-sectional European Union Statistics on Income and Living Conditions (EU-SILC) instrument. EU-SILC data are not gathered from a single survey or common questionnaire. Data are gathered based on harmonized lists of target variables to be transmitted to Eurostat; common guidelines and procedures; common concepts and classifications aimed at maximizing comparability of the information produced. EU-SILC brings together statistics on income, poverty, social exclusion, housing, labour, education and health from the 27 European Union countries and also Croatia, Iceland, Norway, Switzerland and Turkey.

The EU-SILC framework stipulates that samples must be selected based on probability sampling and that samples should be nationally representative of the population residing in private households in the territory of the countries, regardless of language, citizenship or legal residence status. All household members are surveyed, but only those aged 16 and above are interviewed. About 130,000 households and 270,000 persons aged 16 and more are interviewed in the European Union countries. EU-SILC data are collected primarily through personal interviews, but telephone interviews and self-administered questionnaires are also used as modes of data collection.

EU-SILC 2008 cross-sectional data were used for analysis in order to allow comparison with the indicators of labour force participation from the same year.

# WHAT WE ALL HAVE IN COMMON: SETTING A STANDARD FOR THE ACQUISITION OF NATIONALITY BY IMMIGRANTS AND THEIR DESCENDANTS

The partners in this project are setting a standard for assessing and improving national legislation and policies on the acquisition of nationality for immigrants and their descendants. This standard builds on the decade-long comparative research agenda, currently under the auspices of the [EUODO-Citizenship Observatory](#) as well as the issues raised in the ten national stakeholder roundtables. This consortium's latest project (ACIT) demonstrated what are the major legal and procedural opportunities and obstacles across Europe for the acquisition and loss of nationality, particularly the ordinary naturalisation procedure.

Over the course of the research, these standards have been developed in response to national laws and practices. Many national legal and procedural obstacles to the acquisition of nationality exist across Europe for immigrants and their descendants. In practice, Eurostat's naturalisation rates show that every year only two out of 100 foreign residents naturalise in the EU (Sartori 2012).<sup>7</sup> As a 2008 survey shows, just one in three foreign-born immigrants residing in the EU had by then acquired citizenship through naturalisation. Outside Europe, the world's traditional countries of immigration, such as Australia, Canada, New Zealand and the United States, have made naturalisation central to their integration strategies. In Northwest Europe, decades after the arrival of so-called 'guest workers', many governments have recognised that their nations are countries of immigration and passed major reforms creating clearer pathways to naturalisation, some form of territorial birth-right entitlement to citizenship and have broadly accepted dual citizenship. This process is now repeating itself in Europe's newer countries of immigration. These opportunities for immigrants to become full citizens and voters are currently being challenged by some political parties across Europe. Since the increasing changes and politicisation of these laws affects the legal status and lives of millions of people across Europe, a comparative standard is necessary to analyse and improve national laws and procedures on the acquisition of nationality by immigrants and their descendants. At present, the main European legal instrument, the 1997 Council of Europe Convention on Nationality, sets a maximum residence requirement of 10 years for naturalisation, prohibits discrimination between citizens by birth and by naturalisation, lists exhaustively the grounds for withdrawal of nationality and commits signatory states to accept dual citizenship when it emerges at birth. Beyond these and other important standards, the Convention says little about the acquisition of nationality from an immigrant integration perspective.

The EU faces a three major citizenship policy challenges. First, Member States regulate access to EU citizenship under their own citizenship laws and want to preserve this privilege as an expression of their sovereignty and self-determination. Second, the citizens of Member States are also citizens of the European Union who enjoy free movement and admission rights in all other Member States. The EU has therefore an interest that Member States' policies on the acquisition and loss of citizenship take into account the general principles of EU law, specifically proportionality and effective remedy. Member States

---

<sup>7</sup> See: [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-SF-12-045/EN/KS-SF-12-045-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-12-045/EN/KS-SF-12-045-EN.PDF), p. 2.

have an interest in coordinating access to EU citizenship in such a way that no state can subvert immigration control of other Member States through offering EU citizenship to large extraterritorial populations. Third, the EU and its Member States have a common interest in promoting full integration of long-term immigrants and their descendants through naturalisation and *ius soli*, in order to prevent that settled foreigners are deprived of secure residence and political representation and to promote a sense of shared membership among both native and immigrant origin populations.

The basic right of Member States to self-determination in matters of citizenship sets limits to any political initiative for coordinating or harmonising citizenship laws and policies. The link between national and EU citizenship has, however, already resulted in significant EU law constraints on withdrawal of citizenship<sup>8</sup> and political protests against some Member States' policies of facilitated naturalisation to ethnic kin populations or descendants of former citizens in non-EU states.<sup>9</sup> Finally, promoting the integration of non-EU immigrants has become an EU competence and since 1999 EU documents have consistently emphasized that access to citizenship is an important step in this integration process.<sup>10</sup>

National ministers responsible for integration did agree in the 1999 Tampere Presidency Conclusions that naturalisation should be part of their strategies on comparable rights and responsibilities. On this basis, the Commission, under Justice and Home Affairs Commissioner Vitorino, provided some basic guidance in its 2003 Communication on immigration, integration and employment:

*On the premise that it is desirable that immigrants become citizens, it is reasonable to relate access to citizenship to the length of time they have been living in the country concerned and to apply different principles for 1st and 2nd/3rd generation immigrants. For the latter, citizenship laws should provide automatic or semi-automatic access whereas it is reasonable to require the first generation to make a formal application for citizenship. Naturalisation should be rapid, secure and non-discretionary. States may require a period of residence, knowledge of the language and take into account any criminal record. In any case, criteria for naturalisation should be clear, precise and objective. Administrative discretion should be delimited and subject to judicial control.*

In 2010, EU Member States made 'the share of immigrants that have acquired citizenship' into an EU integration indicator, because the EU Common Basic Principles consider that immigrants' participation in the democratic process supports their integration and enhances their sense of belonging. Information exchange has been requested by Member States and organised through the European Migration Network, research projects and the European Commission's technical seminars as part of its Handbook on Integration and Integration Indicators.

Although the three challenges point in different directions, citizenship policies can be reformed in such a way that the each of the legitimate interests involved is taken into

---

8 See the CJEU judgment in Rottmann.

9 See, for example, EUDO CITIZENSHIP reports and news.

10 European Council, Tampere European Council 15 and 16 October 1999 Presidency Conclusions, Tampere, Finland; Council of the European Union (2007), Conclusions on the strengthening of integration policies in the European Union by promoting unity in diversity, 2807th Justice and Home Affairs Council, 12 and 13 June 2007, Luxembourg;; European Commission (2010) Handbook on Integration for policy-makers and practitioners: third edition, Brussels, Belgium; European Ministerial Conference on Integration (2010) Declaration and Annex, 15 and 16 April 2010, Zaragoza, Spain.



account. We indicate below only the main goals of such reforms and support the argument with evidence from the ACIT research and stakeholder roundtables, while leaving open the procedures how they could be promoted or achieved through new actions taken by the European Commission, European Parliament, and Council of Europe. These standards focus on the acquisition of nationality for immigrants. Issues of loss of citizenship and statelessness will be addressed by future EUDO-Citizenship research projects.

The first section of this standard is an introduction that explains why the acquisition of nationality matters for integration. It also explains how countries can diagnose and remedy the causes of low naturalisation rates. The second section provides the core standards for policies and procedures on the acquisition of nationality by immigrants and their descendants. This standard assists lawmakers and practitioners to improve the law and procedure in their respective country. In the third section, each of the standards is further elaborated in an explanatory report in terms of the benefits for immigrants, for the state and for society.

## PART 1: WHY THE ACQUISITION OF NATIONALITY MATTERS FOR INTEGRATION

---

Immigrants who want to settle down in their country of residence have an interest in becoming its citizens. National citizenship is the highest standard of equal treatment because immigrants become citizens with all the same rights, same responsibilities and same voice in a democracy. Even where immigrants enjoy secure residence and similar social rights as national citizens, as is the case with EU citizen residing in other Member States, it is only when they become full citizens that political parties and representative institutions will take into account their interests and opinions into account. For third country nationals, naturalisation facilitates integration through securing their residence, full access to employment, free movement within the EU and civic rights and responsibilities at all levels. Naturalisation encourages the public to recognise immigrants as their equals and develop together a new shared sense of belonging to the country. Therefore, the state and the public also have democratic, social and economic interests in facilitating the acquisition of citizenship by the settled foreign population, especially by the new generation born in the country.

Residence-based naturalisation is part of a broader strategy to secure equal rights and opportunities for all residents in society. Naturalisation is not the end of the integration process for immigrants. It reduces—but does not eliminate—discrimination or exclusion based on ethnic, religious, or national origin, which must be remedied through anti-discrimination policies and political participation. Nor is naturalisation the only route to equal treatment. Instead, facilitating naturalisation is a complementary strategy. In fact, the European countries with more inclusive naturalisation policies and higher naturalisation rates also tend to grant foreigners more equal rights, including voting rights at the local level. Naturalisation not only secures equal rights for naturalised immigrants. It also helps to improve for the situation of foreign residents. Citizens of immigrant origin can exercise equal power in elections and politics at national level, where the rights of foreigners are regulated. The opportunity to naturalise is a guarantee that the electorate and elected officials consider the rights and opportunities of all settled residents within the population.

Facilitating naturalisation is especially important for the integration of foreigners from developing countries. As documented in the CITACQ section of this report, immigrants from low-or-medium developed countries have a greater motivation and incentive to naturalise. Naturalisation also has the greatest effects on the socio-economic and civic integration of persons from developing countries. In contrast, immigrants from highly developed countries are generally likely to naturalise only after a longer period of residence in the country or marriage to one of its citizens. Research shows that inclusive naturalisation policies improve people's likelihood to naturalise, especially for immigrants from developing countries. The more of a country's immigrant population comes from developing countries, the greater is the importance of naturalisation for integration.

Facilitating naturalisation is also important in countries with long-settled foreign populations. The longer immigrants live in the country, the more able and willing they are to naturalise. Still, restrictive policies make it longer and harder for even long-settled foreigners to become citizens. The long-term exclusion of foreigners from national citizenship reinforces their socio-economic exclusion. It discourages the development of a new shared sense of belonging. The country's legitimacy as a democracy is also undermined by this major democratic deficit at national level and in cities and regions with large foreign populations.

In addition, newcomers with a clear long-term future in the country have a greater interest in naturalisation. Immigrants' motivation to naturalise is partly influenced by their reason for migration. For example, reuniting family members and beneficiaries of international protection naturalise more often and more quickly. These groups are not only likely to settle in the country. They also have a claim to facilitated naturalisation, due to their family ties to citizens or immigrants who are eligible for naturalisation or because of the need to provide a new effective citizenship to refugees and other beneficiaries of international protection. In contrast, immigrant workers and international students often take a different and longer path to first qualify and then decide to naturalise. The larger is a country's population of family immigrants or beneficiaries of international protection, the greater is the need for facilitated naturalisation.

Favourable conditions for socio-economic integration also encourage naturalisation. Especially for immigrants from less developed countries stable jobs, higher education and mastery of the country's language make them more likely to apply for naturalisation. This pattern is observed across European countries, no matter how restrictive or liberal the country's naturalisation policy is. The more European societies are able to provide immigrants with jobs, higher education and language skills, the more likely these immigrants are to become citizens of these countries. The more European societies fail to provide immigrants with the opportunities and skills for socio-economic integration, the more immigrants will be excluded from citizenship. Even greater problems of exclusion are created by countries with significant socio-economic integration problems when they impose restrictive naturalisation requirements. Due to their socio-economic status and conditions, a large share of applicants will not be able to meet demanding employment, education or language requirements.

Lastly, facilitating naturalisation is important because it is one of the few areas where policies have a clear impact on integration. Research shows that the more inclusive is a country's naturalisation policy for immigrants, the more often and more quickly immigrants become citizens (Dronkers and Vink 2012; Vink, Prokic-Breuer, Dronkers 2013).<sup>11</sup> Acceptance of dual citizenship by countries of residence and origin also increases naturalisation. Following naturalisation, citizenship boosts the levels of employment and political participation for various immigrant groups, according to several national studies and emerging international research, including from the OECD.<sup>12</sup>

For all these reasons, countries of immigration should scrutinize the legal and procedural obstacles within their policies on the acquisition of nationality for immigrants and their descendants. This document's proposed standards would remove many of these obstacles and facilitate the procedure for immigrants and their descendants. The standards address the acquisition of nationality from the perspective of integration, which, in this case, concerns foreigners legally resident on the country's territory. The objectives are equal treatment, equal participation and a shared sense of belonging for all persons settled in the country.

---

11 Dronkers, J. and M.P. Vink (2012), "Explaining Access to Citizenship in Europe: How Policies Affect Naturalisation Rates", *European Union Politics*, 13(3): 390–412.

12 OECD (2011). *Naturalisation: A Passport for the Better Integration of Immigrants?* OECD, Paris. Bevelander, P. and D.J. DeVoretz (Eds) (2008), *The Economics of Citizenship*. Malmö University, Holmbergs, Malmö. Bevelander, P. and R. Pendakur (2011) Voting and Social Inclusion in Sweden. *International Migration*, 49(4). Steinhardt, M. F. (2012). Does Citizenship Matter? The Economic Impact of Naturalizations in Germany. *Labour Economics*, 19: 813-823.

In a liberal democracy, the legal requirements for the acquisition of citizenship by immigrants should be based on what all citizens have in common. Most citizens were born or live in the country. As pupils, they were taught one of its official languages and, in some school systems, basic facts about its political system and constitution. All must respect the law and their civic responsibilities. Immigrants who fulfil these common criteria deserve to be publically recognised as full and equal citizens. Countries can only reasonably expect of applicants for naturalisation what it expects of its own citizens. Legal requirements based on what all citizens are expected to have in common are more legitimate, proportionate and effective for the integration of immigrants and can be met by them over time. As a result, immigrants who want to become national citizens will be encouraged and able to develop and demonstrate their effective links to the country.

The situation of second and third generations born in the country differs fundamentally from that of first generation immigrants. The former share with native citizens the fact of birth in the territory. They grow up in the same society and – unless groups of immigrant origin are segregated from mainstream society – share similar childhood experiences. Asking them to apply for naturalisation under similar conditions as first generation adult immigrants denies their belonging by birth and socialisation, stigmatizes them as foreigners and breeds resentment against the institutions of what is their home country. A significant number of European states have introduced *ius soli* for second and third generations of immigrant origin for that reason. Reasonable concerns have been raised that unconditional *ius soli*, as it exists today in the US or Canada, wrongly attributes citizenship to children accidentally born in the territory to tourists or provides problematic incentives for pregnant mothers to give birth in an EU Member State in order to benefit from derivative residence rights for parental caregivers under EU law. These concerns have been taken into account by making *ius soli* acquisition conditional upon prior legal residence of a parent or by delaying birthright acquisition to some time after birth. *Ius soli* has a particularly strong impact on how immigration is perceived in the wider society. If the children of foreigners are citizens from birth, they are seen as members by birth just as native citizens. Conversely, in countries without *ius soli* provisions, the status of being a foreigner is transmitted across generations, which supports the perception that immigrants do not belong.

Many participants in national debates about *ius soli* wrongly assume that countries need to choose between *ius sanguinis* and *ius soli*. In fact, all European countries with *ius soli* provisions also offer descent-based citizenship to second generations born abroad. Second generations born to citizens abroad have a claim to their parents' citizenship just as second generations born in the country have a claim to that country's citizenship. The result of combining *ius sanguinis* with *ius soli* is thus dual citizenship for those children who have strong ties to a parental country of origin as well as to their country of birth.

The proposed principle for inclusive birthright entitlement to citizenship does not on its own address the situation of children who immigrate as minors together with or in some cases even separated from their parents. This so-called generation 1.5 shares most of the experiences of the second generation but remains often excluded from access to citizenship until the age of majority in *ius soli* regimes. Some countries offer therefore strong entitlements to naturalisation under facilitated conditions to minor children who have lived in the country for some time. The Swedish law, which offers unconditional access to citizenship to minors who have lived in Sweden for five years, is exemplary in this regard.

## **PART 2: STANDARD FOR THE ACQUISITION OF NATIONALITY BY IMMIGRANTS AND THEIR DESCENDANTS**

### **1. ACQUISITION OF NATIONALITY BASED ON BIRTHRIGHT OR SOCIALISATION**

#### **1.1. A person acquires nationality at birth if:**

*The person is born on the territory of the country provided one of the parents has resided in the country with any legal residence permit for several years prior to the person's birth. The period of required prior parental residence should be the same as that required for naturalisation of first generation immigrants and should not exceed five out of the past years.*

### **2. NATURALISATION OF MINOR CHILDREN**

*A person of minor age has the right to acquire nationality:*

*2.1. if he or she has completed five years of continuous residence or altogether five years of compulsory education in the country and is legally residing in the country with any legal residence permit at the time of application;*

*2.2. if one of her parents is a citizen by birth or naturalisation and the natural or adopted child has legally resided in the country for at a required period that should not exceed three years;*

*2.3. if a foreign citizen parent acquires nationality by naturalisation and the natural or adopted child has legally resided in the country for a required period that should not exceed three years;*

### **3. ORDINARY NATURALISATION**

*A person has the right to be naturalised as a citizen if he or she meets the following legal requirements.*

#### **3.1. LEGAL RESIDENCE**

*3.1.1. The person has resided in the country with any legal residence permit for a period not exceeding five out of the past six years prior to the application.*

*3.1.2. If the applicant is a stateless person, recognised refugee, or beneficiary of subsidiary protection, the requirement of legal residence is fulfilled if the person has legally resided in the country for a required period not exceeding three out of the past four years prior to the application.*

*3.1.3. If the applicant is the spouse or registered partner of a citizen under national law, the requirement of legal residence is fulfilled if the applicant has been married or in a registered partnership for a required period not exceeding three years prior to application and has legally resided in the country in the same household as the citizen partner for at least one year prior to the application.*

#### **3.2. LANGUAGE KNOWLEDGE**

*3.2.1. The person has demonstrated their willingness to learn one of the country's official lan-*

*guages to the level provided in courses entirely or largely funded by the state.*

*3.2.2. This requirement does not apply to:*

- persons over the age of 65*
- persons with relevant mental and physical disabilities, as defined in national law*

### **3.3. CIVIC RESPONSIBILITIES**

*3.3.1. The person fulfils the same civic responsibilities and good character requirements as other residents or citizens of the country required by other laws (i.e. for voting rights, public office, public sector employment).*

*3.3.2. The person has demonstrated a willingness to learn facts on civics or citizenship if this is required of all pupils in a dedicated civics or citizenship subject in the country's compulsory education curriculum. Naturalisation applicants fulfil the same requirement and benefit from the same support and exemptions as provided in the state civics or citizenship curriculum.*

*3.3.3. This requirement does not apply to:*

- persons over the age of 65*
- persons with relevant mental and physical disabilities, as defined in national law*

### **3.4. NO SERIOUS THREAT TO PUBLIC POLICY OR PUBLIC SECURITY**

*Naturalisation may be denied if an applicant*

*3.4.1. is a serious threat to public security or*

*3.4.2. has committed crimes punishable with a prison sentence of five years or more. After a sentence has been served, a foreign citizen may only be further excluded from naturalisation if citizen would under the same conditions be excluded from voting or holding public office.*

### **3.5. COST**

*3.5.1. The total fee for foreigners to apply for naturalisation and receive the nationality title shall not exceed the fee for citizens to apply for and receive a passport.*

*3.5.2. The fee is waived for persons in households with an income below the poverty line, as defined in national social law. A person's financial or economic circumstances shall not be an obstacle to the acquisition of nationality.*

## **4. MULTIPLE NATIONALITY**

*The country does not prevent multiple nationality:*

*4.1. through any requirement of renunciation of a foreign nationality as a condition for naturalisation,*

*4.2. through any ground of withdrawal of nationality in case of voluntary acquisition of a foreign nationality, or*

*4.3. through any requirement of renunciation of a foreign nationality acquired at birth*

## **5. NATURALISATION OF PERSONS WITH SPECIAL EFFECTIVE LINKS TO THE COUNTRY**

*5.1. Nothing prevents countries from adopting more favourable conditions for the naturalisation of other categories of persons with specific effective links to the country or a citizen of the country, for example by extending naturalisation to spouses, descendants of former citizens, other family members, reacquisition by former citizens.*

## **6. PROCEDURES FOR THE ACQUISITION OF NATIONALITY**

*The following provisions are respected by national authorities and monitored by the National Ombudsman:*

### **6.1. DOCUMENTATION FOR ORDINARY NATURALISATION**

*6.1.1. An applicant's legal identity and residence in the country is documented within the application procedure through a legalised photocopy of their current residence permit and assessed by the state on the basis of its official records.*

*6.1.2. A decision rejecting an application may not be based solely on the fact that documentation is lacking from the applicant's country of origin or a third country.*

*6.1.3. The willingness to learn the official language is documented by the applicant through any legal means as part of the application or procedure, including a certificate of participation in a state-subsidised language course or test (including any required civics test), or completion of secondary or university education in the official language. The requirement is assessed by the state on the basis of these documents.*

*6.1.4. The respect of civic responsibilities is assessed by the state on the basis of official state records and may be documented within the application through any legal document generally required of citizens (e.g. state-provided good character certificates). If required in the compulsory education system, the learning of facts about civics or citizenship is proven by the applicant through any legal means or certificate as part of the application or procedure, including participation in a state-subsidised course or test or completion of the general civics/citizenship curriculum within the country's compulsory or adult education system. The requirement is assessed by the state on the basis of these documents.*

*6.1.5. The criminal record is assessed by the state on the basis of its official records. The threat to public security is assessed by the state on the basis of information at its disposal. When taking a final decision, the state shall consider the severity or type of offence against public security, or the danger that emanates from the person concerned, while also having proper regard to the duration of residence and to the existence of links with the country of residence.*

### **6.2. A PUBLIC SERVICE WELCOMING CITIZENS-TO-BE**

*6.2.1. Authorities inform foreigners about the naturalisation requirements, procedure and benefits through free information services, websites and materials. The state supports an optional service to check if the application and documentation is complete.*

*6.2.2. In addition, authorities promote naturalisation among foreigners and the general public.*

6.2.3. Applicants have multiple ways to send in their application both directly to the deciding authority and indirectly through several types of local services.

6.2.4. One specialised nationality unit examines the application, checks that all documentation is correct and makes the final decision.

6.2.5. Authorities check each requirement on the basis of the required documentation and their publically available interpretative guidelines. The state eliminates the discretion of authorities as far as possible in order to guarantee that naturalisation is a legal entitlement for all persons who meet the legal requirements.

6.2.6. Applicants have the right to be informed on the progress of the procedure.

6.2.7. Authorities shall give written notification of the decision as soon as possible and in any event no later than six months from the date on which the application was lodged. The time limit may be extended in exceptional circumstances linked to the complexity of the examination of the application. If no decision is taken by the end of this period, the application shall be considered as approved.

### **6.3. PROCEDURAL GUARANTEES**

6.3.1. Reasons shall be given for any decision rejecting an application. The notification shall specify the specific ground(s) of rejection, specific reasons and evidence for each ground, the review and appeal procedures available and the time within which the applicant may request a review or lodge an appeal.

6.3.2. Applicants have the right to an administrative review and an independent judicial appeal. The review and appeal can cover both the decision to reject the application as well as any assessment required for naturalisation. Appellants have equal access to the legal aid provided in the country for general appeal procedures.

6.3.3. National courts have the power to examine both procedural and substantive aspects and change the decision in merit.

### **6.4. EQUAL TREATMENT AND RECOGNITION OF NEW CITIZENS**

6.4.1. Authorities guarantee the equal treatment of all applicants within the procedure across the national territory.

6.4.2. The procedure does not contain distinctions or include any practice which amounts to discrimination on the grounds of sex, religion, race, colour, national or ethnic origin, nationality, age, disability, or sexual orientation. Respect of this provision is monitored by the national equality agency.

6.4.3. Authorities solemnly recognise the conferral of nationality upon naturalised citizens through whatever means are appropriate in the country.

6.4.4. Authorities facilitate as much as possible the registration of new citizen voters and any of other new civic responsibilities conferred by national and EU citizenship.



## PART 3: EXPLANATORY REPORT FOR THE STANDARD FOR THE ACQUISITION OF NATIONALITY BY IMMIGRANTS AND THEIR DESCENDANTS

---

### 1. ACQUISITION OF NATIONALITY BASED ON BIRTHRIGHT OR SOCIALISATION

#### 1.1. A person acquires nationality at birth if:

*The person is born on the territory of the country provided one of the parents has resided in the country with any legal residence permit for at least a total of five out of the past six years prior to the person's birth.*

#### 1.2. A person has the right to acquire nationality if:

*The person completed five years of compulsory education in the country by the age of 18 and is legally residing in the country with any legal residence permit at the time of application.*

### 2. NATURALISATION OF MINOR CHILDREN

*2.1. If the parent of a minor child acquires nationality, the minor child acquires nationality at the same time.*

Most citizens of a country were born and live within its territory. Being born in the country is often the most important characteristic that citizens cite to define what it means to be a citizen of their country. The descendants of immigrants—born or educated in the country just like any other child—have a strong claim to equal recognition as citizens.

Children born or educated in the country have effective links to the country. A child born in the country is very likely to grow up there, especially if one of the parents has been a legal resident for several years. These children must attend school, learn the country's language and learn everything else expected of other children. They probably will know no country better and no other country will shape them as much. The opportunities and challenges that they face in life are very different from their parents and much more like other children raised in the country in similar social circumstances. This country is theirs.

Foreign-born adults eligible for naturalisation must prove their effective links to the country. If they choose to naturalise, their children should also have the right to become citizens in order to preserve family unity and the best interests of the child. The reasons to naturalise for parents are not the same as for their children born or educated in the country. Parents chose to immigrate and become foreigners, but their children do not choose where their parents immigrate or where they are born. These members of the 'second generation' are not immigrants in their own country. Therefore, the ordinary naturalisation procedure for their parents is not appropriate for their children.

Citizenship at birth recognises the second generation as full and equal citizens and encourages them to develop a full sense of self and belonging. All children born in the country, with and without an immigrant background, are encouraged to see and treat each other as equals and develop together a shared sense of solidarity and belonging to their country.

Immigrant children educated in the country (the so-called 1.5 generation) also have a special entitlement to citizenship. These children will have a future in the country, just like other young adults in the country. The right to the citizenship recognises their achievement and provides them with the same status, opportunities and responsibilities as other adult citizens.

### **3. ORDINARY NATURALISATION**

*A person has the right to be naturalised as a citizen if he or she meets the following legal requirements.*

A recent trend in citizenship law in Europe, the creation of a conditional right to ordinary naturalisation builds greater consensus and trust in the naturalisation requirements among the general public and potential applicants for naturalisation. This entitlement demonstrates that the government believes in these requirements as meaningful signs of immigrants' effective links and commitment to the country.

The conditional right to naturalisation recognises that immigrants who meet the legal requirements are full and equal citizens and encourages them to develop a full sense of self and belonging. It changes the public perception of immigrants by considering them from the very start as potential future citizens. Most importantly, a legal entitlement to naturalisation signals that it is not only the applicant who has an individual interest in acquiring citizenship, but also the state that has an interest that immigrants who qualify take up the offer of full and equal citizenship.

#### **3.1. LEGAL RESIDENCE**

*3.1.1. The person has resided in the country with any legal residence permit for at least a total of five out of the past six years prior to the application.*

*3.1.2. If the applicant is a stateless person, recognised refugee, or beneficiary of subsidiary protection, the requirement of legal residence is fulfilled if the person has legally resided in the country for at least one year prior to the application.*

*3.1.3. If the applicant is the spouse or registered partner of a citizen under national law, the requirement of legal residence is fulfilled if the applicant has been married or in a registered partnership for at least three years prior to application and has legally resided in the country for at least one year prior to the application.*

#### **6.1. DOCUMENTATION FOR ORDINARY NATURALISATION**

*6.1.1. An applicant's legal identity and residence in the country is documented within the application through a legalised photocopy of their current residence permit and assessed by the state on the basis of its official records.*

*6.1.2. A decision rejecting an application may not be based solely on the fact that documentation is lacking from the applicant's country of origin or a third country.*

After five years of legal residence, all foreign-born adults should be able to naturalise if they can meet the legal requirements. This threshold is meant to include all people residing in the country for several years. By agreeing to five years for eligibility for EC

long-term residence (2003/109/EC) EU Member States have acknowledged that after this period a person has put down roots in the country. After five years, many immigrants will have had the time to develop effective links in society and decide whether to make a life-long commitment to the country through acquisition of its citizenship. The requirement of ‘five out of the past six years’ is easy-to-understand and flexible. A flexible requirement can correct for small interruptions in legal residence due to errors in immigration and general administrative procedures. Interruptions in legal residence are allowed for 365 days (continuous or non-continuous) over the six years prior to the application. It also allows for the international mobility that naturally comes with transnational families and businesses. Without this flexibility, an interruption of a few days or months could delay an applicant’s effective waiting period until eligibility for naturalisation from five years to up to ten years. These minor interruptions in legal residence are not a strong enough argument to reject an applicant who meets the legal requirements to become a citizen.

The residence requirement should be shorter for certain categories of immigrants that quickly develop special links with the country. Refugees and beneficiaries of international protection are entirely dependent on a “host state” for their protection. The spouses and partners of nationals also have a greater claim to citizenship because they have committed to building their life together with one of the country’s citizens. For these groups, facilitating naturalisation helps uphold a country’s commitment to international protection and the respect for family life. These and other groups should benefit from facilitated naturalisation, as suggested also in the Council of Europe’s 1997 Convention on Nationality.

Applicants establish their identity and residence through documentation from the country of residence or alternative means in the country. A legalised photocopy of the national ID or permit can be included in the application. It would be both unnecessary and unfair to reject an applicant only because they cannot provide documentation from a third country (i.e. birth certificate or passport). Firstly, authorities have already confirmed the applicant’s identity through the immigration or asylum procedure. Their identity card or residence permit in the country is sufficient proof of their identity. Secondly, it is sometimes impossible, unreasonable, or expensive for applicants to obtain documentation from their country of origin, depending on the geographical distance, their personal and family links, the functioning of the state administration, their reason of migration or their fear of persecution or violence.

### 3.2. LANGUAGE KNOWLEDGE

3.2.1. *The person has demonstrated their willingness to learn one of the country's official languages to the level provided in courses entirely or largely funded by the state.*

3.2.2. *This requirement does not apply to:*

- *persons over the age of 65*
- *persons with related mental and physical disabilities, as defined in national social law*

### 6.1. DOCUMENTATION FOR ORDINARY NATURALISATION

6.1.3. *The willingness to learn the official language is documented by the applicant through any legal means as part of the application or procedure, including a certificate of participation in a state-subsidised language course or test (including any required civics test), or completion of secondary or university education in the official language. The requirement is assessed by the state on the basis of these documents.*

Almost all citizens of a country can express themselves in at least one of its official languages. All children in the country will learn the language in the country's schools. Societies that invest in language learning for first generation adults are serious about their goals to share a common language and improve social cohesion. Most applicants are able in some way to demonstrate their willingness to learn the language.

A person's language abilities are related to their personal circumstances. It is reasonable to expect applicants for naturalisation to obtain the level of language proficiency provided in state-subsidised language courses. Free or means-tested courses, study guides and means of assessment must be available for all immigrants who want to become fluent in the language. When the naturalisation requirement matches the level of state language support, naturalisation may work as an incentive to language learning to the benefit of immigrants and society at large. This approach will make it easier for applicants with the required language level to document this and easier for the administration to check this. Effective language support would successfully help all applicants to obtain the skills they need to naturalise and fulfil their civic rights and responsibilities as citizens.

In contrast, countries undermine their objectives for linguistic integration when the level required for naturalisation is higher than the level provided by the state. Language requirements are then used as an obstacle to naturalisation and inclusion. Without public courses, many applicants wishing to learn the language will be unable to demonstrate this willingness, due to their economic or social circumstances.

Legal rights to exemptions exist for people, who, through no fault of their own, are unable to learn the language or demonstrate their knowledge, for example through a written test. These people include the elderly and persons with mental and physical disabilities that affect their ability to learn or pass tests.

### 3.3. CIVIC RESPONSIBILITIES

3.3.1. *The person fulfils the same civic responsibilities and good character requirements as other residents or citizens of the country required by other Acts (i.e. for voting rights, public office, public sector employment).*

3.3.2. *The person has demonstrated their willingness to learn facts on civics or citizenship if this is required of all pupils in a dedicated civics or citizenship subject in the country's compulsory education curriculum. Naturalisation applicants fulfil the same requirement and benefit from the same support and exemptions as provided in the state civics or citizenship curriculum.*

3.3.3. *This requirement does not apply to:*

- *persons over the age of 65*
- *persons with related mental and physical disabilities, as defined in national social law*

### 6.1. DOCUMENTATION FOR ORDINARY NATURALISATION

6.1.4. *The respect of civic responsibilities is assessed by the state on the basis of their official state records and may be documented within the application through any legal document generally required of citizens (e.g. state-provided good character certificates). If required in the compulsory education system, the learning of facts about civics or citizenship is also proven by the applicant through any legal means or certificate as part of the application or procedure, including participation in a state-subsidised course or test or completion of the general civics/citizenship curriculum within the country's compulsory or adult education system. The requirement is assessed by the state on the basis of these documents.*

Foreign-born adults should fulfil the same civic responsibilities and good character requirements required of other residents or citizens of the country for the acquisition or maintenance of their civic rights. Countries have different definitions of good character and unacceptable civic conduct. Specifically, civic requirements may exist for all residents or citizens to acquire or maintain their voting rights, publically elected office, or public sector employment. When the same civic requirements required of all residents or citizens are also required for applicants for naturalisation, the naturalisation procedure may be more meaningful and reasonable for both the general public and eligible immigrants.

Additional civic knowledge requirements only make sense in countries where civic facts are required common knowledge for all citizens. The European Commission's 2012 Eurydice report on "Citizenship Education in Europe" found that only 17 EU Member States require that pupils in compulsory education (ISCED 1 or 2) attend civics or citizenship education as a compulsory separate subject or module in a discrete teaching bloc. The place reserved to civics and citizenship education in the compulsory education reflects the importance attached to the subject area. The number of hours dedicated to this subject varies significantly across countries and changes regularly. Depending on the country, students' marks in civics or citizenship education may or may not be taken into account for students to transition to the next level of education. The relevant European standard in the development of such curricula is the Council of Europe Charter's on Education for Democratic Citizenship, adopted by its 47 member states in the framework of Recommendation CM/Rec(2010)7.

Beyond a separate civic or citizenship subject or module in some countries, civic knowledge is not required common civic knowledge for a country's citizens. Indeed, surveys suggest that there are few things that all adult citizens know about their country's history or civic institutions. Given the limited role of civic knowledge in public life, it is only meaningful to expect foreign-born adults to learn what is taught to all pupils if there is an explicit civics or citizenship subject in compulsory education. The same requirement (participation and/or assessment), support and exemptions should apply for all applicants for naturalisation as for pupils in the compulsory civics or citizenship curriculum. Free or means-tested courses, study guides and means of assessment must be available for all immigrants eligible to naturalise. As a result, the naturalisation procedure will be more efficient because applicants can use the same materials from the compulsory or adult education system. This civics or citizenship curriculum will also be more relevant in society for all persons, whatever their background. Effective state-subsidised civics courses may be effective if they successfully help immigrants to obtain the information they need to naturalise and subsequently exercise their full civic rights and responsibilities.

### **3.4. NO SERIOUS THREAT TO PUBLIC POLICY OR PUBLIC SECURITY**

*3.4.1. The person is not a serious threat to public security.*

*3.4.2. The person has a clean criminal record in the country.*

*3.4.3. A person who served a prison sentence of five years or more in the country must have legally resided in the country for at least a total of five out of the past six years since the date of completion of their sentence or probation.*

### **6.1. DOCUMENTATION FOR ORDINARY NATURALISATION**

*6.1.5. The criminal record is assessed by the state on the basis of its official records. The threat to public security is assessed by the state on the basis of information at its disposal. When taking a final decision, the state shall consider the severity or type of offence against public security, or the danger that emanates from the person concerned, while also having proper regard to the duration of residence and to the existence of links with the country of residence.*

While there is no link between crime prevention and naturalisation policy, one of the state's core duties is to secure peace and security for its citizens and residents. It is against public interest to naturalise people in criminal proceedings or under investigation as serious threats to public security. The reason is that naturalisation would grant these suspects the state's diplomatic protection, protection from deportation as well as access to public office and jobs exercising public authority. Such an assessment is also required by the EU's family reunification (2003/86/EC) and long-term residence directives (2003/109/EC).

The vast majority of foreign-born adults are law-abiding residents and thus eligible for naturalisation. European societies support the rehabilitation of former criminals who served their time. If their offense was not a ground for deportation, then former criminals should not be permanently barred from naturalisation. They should have the chance to prove their commitment to be law-abiding residents. After completion of their sentence or probation, they must not commit a crime within an additional five-year-waiting period before application for naturalisation. This practice of rehabilitation waiting periods is currently used for instance in the Nordic countries.

The role of state security services in naturalisation is to assess applicants' criminal record and the evidence at its disposal, subject to judicial review. The naturalisation procedure should not request applicants to provide documentation from their country of origin or other previous countries of residence. Such documentation is both unnecessary and undesirable. Firstly, the state already obtained this information when the applicant was accepted for immigration or asylum, at which point the state concluded that the person was not a threat to public security or public policy. Secondly, access to the citizenship of a country should not be dependent upon the proper functioning of the police and justice systems in other countries.

### 3.5. COST

*3.5.1. The total fee for foreigners to apply for naturalisation and receive the nationality title shall not exceed the fee for citizens to apply for and receive a passport.*

*3.5.2. The fee is waived for persons in households with an income below the poverty line, as defined in national social law. A person's financial or economic circumstances shall not be an obstacle to the acquisition of nationality.*

Economic resource requirements go against democratic principles. Not all citizens have a job, a university degree, or a certain income. Many fall outside the working age population. For others, employment rates and education levels vary significantly across and within countries, with greater difficulties facing women and youth. Beginning in the nineteenth century in Europe, universal suffrage has secured that a person's socio-economic situation was no longer a condition for full and equal citizenship. Enlarging the franchise guaranteed that politicians were responsible to improve the socio-economic situation of all, not only some privileged citizens whom they represented. Out of respect of these democratic principles, today nearly half the European countries studied do not impose economic resource requirements for naturalisation.

Economic resource requirements also go against objectives of integration. No evidence suggests that more selective naturalisation policies lead to greater socio-economic integration in society. On the contrary, our research suggests that inclusive policies lead to not only to more naturalisations but also a greater impact of naturalisation on male immigrants' employment. Immigrants benefit more from quick naturalisation because they need it the most as newcomers. An economic resource requirement for naturalisation would therefore be counter-productive because it denies vulnerable foreigners the access to citizenship that could improve their economic situation.

The official fees for the application or issuance of the citizenship title can become de facto an economic resource requirement because high fees are tests of a person's disposable income, especially in times of greater precariousness due to the economic and financial crisis. The introduction of fees can significantly affect the naturalisation rate, especially for the most vulnerable groups. No one benchmark can be set across all EU countries because the fees for general administrative procedures vary across countries due to differences in costs of living and administrative cultures. Fees should be reasonable for the acquisition and certification of citizenship and fees for administrative or judicial review should not be an obstacle, according to the Council of Europe's Convention on Nationality's Article 13, paragraphs 1 and 2. This standard clarifies that fees should be the same as for general administrative procedures such as issuance of a passport. Benchmarks for these fees and means-tested exemptions ensure that a fee is not a de facto economic resource requirement. Any required assessments or documentation should be free or means-tested.

## 4. MULTIPLE NATIONALITY

*4.1. The country accepts multiple nationality for all citizens through birth or naturalisation.*

Multiple nationality is a demographic and legal reality that is beneficial not only for naturalising immigrants, but also all types of citizens with effective links to more than one country. Many people have effective links with more than one country. EU citizens are increasingly mobile and globally connected. One in four EU citizens has close family living abroad, while one in twelve marriages is a mixed marriage involving one person born abroad. Nearly half of all EU citizens feel some attachment to a country other than their country of nationality, because of travel, close friends, or close family abroad. Non-EU immigrant populations have grown, settled and created second and third generations.

Effective links with more than one country leads to the need for multiple citizenship for both citizens abroad and naturalising immigrants. Most people with effective links to more than one country are willing and able to take on the rights and responsibilities of multiple citizenship. People are eligible to acquire a citizenship for different reasons and through different modes of acquisition, based on their place of birth, marriage, children, place of residence, etc. People's links and responsibilities to one country have little or nothing to do with their links and responsibilities to another country. The reasons why dual citizenship matters for immigrants are mostly related to the undesirable side effects that losing a citizenship of origin has on their personal, family or other links with their country of origin. International research shows that the acceptance of dual citizenship by countries of origin and destination removes a significant barrier to naturalisation.

Increasingly, states around the world see opportunities arising from dual citizenship and are able to manage the responsibilities. As countries of emigration, European countries are responsible to protect expatriate citizens and their families. Many also maintain cultural links with historical diasporas in the world's traditional countries of immigration. As countries of immigration, European countries are parts of European-wide and global trends in both countries of immigration and countries of origin to accept dual citizenship. Indeed, even most governments opposed to dual citizenship cannot avoid it in practice, since it often emerges at birth without their knowledge and since renunciation of foreign nationality is sometimes impossible or unreasonable, leading to exemptions from the requirement. Fears about the acceptance of dual citizenship in public debate have proven unwarranted in practice. Hardly any evidence exists that dual citizenship is related to problems of integration in the country of residence. On the contrary, acceptance of dual citizenship facilitates naturalisation, which, in turn, has a positive impact on a person's economic, social and civic integration in their new country. Similarly, experience also shows that dual citizenship very rarely leads to any diplomatic or military conflict. At European level, Council of Europe standards and national rules have shifted from preventing to managing multiple nationality, for example through bilateral and multilateral agreements on specific issues, such as military service and taxation.



## 5. NATURALISATION OF PERSONS WITH SPECIAL EFFECTIVE LINKS TO THE COUNTRY

*5.1. Nothing prevents countries from adopting more favourable conditions for the naturalisation of persons with specific effective links to the country, for example on the basis of spousal extension, filial transfer, adopted children, descendants of former citizens, other family members, reacquisition, links with specific countries of origin, cultural affinity, refugees, stateless persons, or special achievement.*

These standards address the acquisition of nationality from the perspective of integration, which, in this case, concerns foreigners legally resident on the country's territory. This does not imply that a state cannot have other modes of acquisition of nationality with broader target groups (e.g. persons outside the territory) and with different state objectives, such as the respect of family life, the rule of law, national sovereignty, humanitarian commitments, international relations, or innovation and the arts. This standard for the acquisition of nationality by immigrants and their descendants is not necessarily related to a country's other modes for the acquisition of nationality based on special effective links with the country.

## 6. PROCEDURES FOR THE ACQUISITION OF NATIONALITY

*The following provisions are respected by national authorities and monitored by the National Ombudsman:*

### 6.2. A PUBLIC SERVICE WELCOMING CITIZENS-TO-BE

*6.2.1. Authorities inform foreigners about the naturalisation requirements, procedure and benefits through free information services, websites and materials. The state supports an optional service to check if the application and documentation is complete.*

*6.2.2. In addition, authorities promote naturalisation among foreigners and the general public.*

*6.2.3. Applicants have multiple ways to send in their application both directly to the deciding authority and indirectly through several types of local services.*

Since naturalisation involves various legal eligibility criteria and requirements, the procedure must guarantee the proper implementation of the law and equal treatment of all applicants. Looking only at the legal requirements does not indicate which or how many obstacles exist in the naturalisation procedure. For ordinary applicants for naturalisation, obstacles in law and in practice arise in equal measure in most European countries. The ways that laws are implemented can lead to significant variation in naturalisation rates between groups of applicants and over time. The differences in local implementation within the same country may be significant.

The public administration properly implements the law by facilitating procedures that welcome immigrants as citizens-to-be. With this approach, the public administration recognises that these applicants are potential future citizens. The administration ought to inform immigrants and the public of the legal requirements for naturalisation, accept all applicants who meet these requirements and provide information and assistance to those who do not currently meet them.

All citizens benefit from information on the advantages of citizenship and the naturalisation procedure. A lack of information and public encouragement are two reasons why eligible foreigners do not naturalise; they do not know or do not feel that they are welcome as new citizens. A lack of information and public encouragement also perpetuates myths in the public about the naturalisation policy and stirs anti-immigrant sentiment, which constrains policy-making and good governance.

A nationwide naturalisation campaign would assist and encourage immigrants to apply, while informing the public about the benefits of naturalisation. State promotional measures help eligible foreigners to apply for naturalisation. The government can support free preparatory classes and information sessions. Free and accessible services counsel and inform applicants about their eligibility for naturalisation. They also distribute applications, double-check and receive them. Online and written material can be provided in the form of websites, leaflets, brochures and pamphlets. Strong promotional measures may improve public awareness and support for the policy, raise application rates and lower rejection rates, depending on how restrictive are the country's legal requirements.

## 6. PROCEDURES FOR THE ACQUISITION OF NATIONALITY

*6.2.4. One specialised nationality unit examines the application, checks that all documentation is correct and makes the final decision.*

*6.2.5. Authorities check each requirement on the basis of the required documentation and their publically available interpretative guidelines. The state eliminates the discretion of authorities as far as possible in order to guarantee that naturalisation is a legal entitlement for all persons who meet the legal requirements.*

*6.2.6. Applicants have the right to be informed on the progress of the procedure.*

*6.2.7. Authorities shall give written notification of the decision as soon as possible and in any event no later than six months from the date on which the application was lodged. The time limit may be extended in exceptional circumstances linked to the complexity of the examination of the application. If no decision is taken by the end of this period, the application has been tacitly approved.*

Dedicated public administrations with professional service standards are established for important routine services for the public. In the past, the acquisition of citizenship has often required a discretionary decision by the executive (such as the President or King), the Legislature, or a Minister. Such an 'exceptional' procedure no longer functions in most countries of immigration. Naturalisation is a normal part of the integration process. Every year, thousands of people are acquiring their citizenship and thousands more are eligible for citizenship. In countries of immigration, the acquisition of citizenship qualifies as a regular important service that deserves a dedicated and professional public administration.

A specialised and highly-trained unit can receive applications, check documentation, access related data from other services and make the final decision. Responsibility for naturalisation makes most sense within the authority responsible for justice and citizens' rights. Any related assessment is best made by expert bodies (e.g. state security services, language and education professionals, judges). In decentralised procedures, national

authorities should review decisions made by similar units at local or regional level. In all cases, authorities must follow national guidelines that are clear, detailed, binding and available to the public. These good governance guidelines ensure that naturalisation decisions are based on the law.

Time limits for processing the application serve as a benchmark for administrative practice and a guarantee for applicants. Article 10 of the Council of Europe's Convention on Nationality states that processing must be completed in a reasonable time. Legal time limits are commonly used for processing similar applications, such as for immigration, asylum and residence. The use of legal time limits encourages the administration to devote sufficient human and financial resources in order to avoid backlogs. Authorities can also easily keep applicants up-to-date on the progress of their application.

Reducing the bureaucracy encourages applicants, makes it easier for authorities themselves to come to a decision and reduces the variation in processing times and naturalisation rates across the country. Most importantly, reducing the bureaucracy helps ensure that authorities do not reject people who actually meet the legal requirements. The bigger the bureaucracy is, the more authorities are involved, the more complicated becomes the documentation, the greater is the risk of discretion and the greater is the risk of error in the procedures, misinterpretation of the requirements and duplication of decision-making.

### **6.3. PROCEDURAL GUARANTEES**

*6.3.1. Reasons shall be given for any decision rejecting an application. The notification shall specify the specific ground(s) of rejection, specific reasons and evidence for each ground, the review and appeal procedures available and the time within which the applicant may request a review or lodge an appeal.*

*6.3.2. Applicants have the right to an administrative review and an independent judicial appeal. The review and appeal can cover both the decision to reject the application as well as any assessment required for naturalisation. Appellants have equal access to the legal aid provided in the country for general appeal procedures.*

*6.3.3. National courts have the power to examine both procedural and substantive aspects and change the decision in merit.*

Judicial review is an option in most normal administrative procedures based on checks and balances through the separation of powers. These provisions are also spelled out in Articles 11 and 12 of the Council of Europe's Convention on Nationality. The right to a reasoned decision requires that rejections of applications stick to the requirements in the law and stand on solid evidence. Legal and factual reasons must be given in all cases. With this greater transparency of the decision, applicants will better understand and trust the decision and avoid unsuccessful appeals or re-applications. If rejected applicants do believe that they meet the legal requirements, the right to administrative review and an independent judicial appeal strengthens the rule of law, non-discrimination and equal treatment of all applicants. The judge can clarify what is the proper and uniform interpretation of the law and what are the proper roles of the authorities in the procedure.

#### 6.4. EQUAL TREATMENT AND RECOGNITION OF NEW CITIZENS

6.4.1. *Authorities guarantee the equal treatment of all applicants within the procedure across the national territory.*

6.4.2. *The procedure does not contain distinctions or include any practice which amounts to discrimination on the grounds of sex, religion, race, colour, national or ethnic origin, nationality, age, disability, or sexual orientation. Respect of this provision is monitored by the national equality agency.*

6.4.3. *Authorities solemnly recognise the conferral of nationality upon naturalised citizens through whatever means are appropriate in the country.*

6.4.4. *Authorities facilitate as much as possible the registration of new citizen voters and any of other new civic responsibilities conferred by national and EU citizenship.*

The equal treatment of all applicants is established through the conditional right to ordinary naturalisation. Eliminating administrative discretion means that the state promises to naturalise applicants based on the law. No foreigner will make it through the ordinary naturalisation procedure without meeting its clear legal requirements. In return, anyone who meets these requirements is guaranteed to be welcomed as a citizen. Clear commitments to equal treatment and non-discrimination in the citizenship law encourage their respect by implementing authorities. All EU Member States, as signatories to the International Convention for the Elimination of all Forms of Racism (1965), agree in Article 1, paragraph 3, that their citizenship laws will not discriminate against any particular nationality. Article 5, paragraph 1 of the 1997 Council of Europe Convention on Nationality also prohibits any distinctions or any practice amounting to discrimination on the grounds of sex, religion, race, colour or national or ethnic origin. Paragraph 2 of the same Article furthermore prohibits discrimination between citizens by birth and by naturalisation. Age, disability and sexual orientation are three further protected grounds under the Article 19 of the Treaty on the Functioning of the European Union. Such commitments in nationality law introduce the necessary level of scrutiny requiring objective and proportionate justifications of any decision of rejection.

Naturalisation ceremonies can promote the equal treatment of successful applicants as full and equal citizens. This promotional measure has spread across Europe, following in the footsteps of the traditional countries of immigration, such as Canada and the United States, where naturalisation is a tool to promote integration. Traditionally in Europe, the actual act of conferring citizenship has been a low-level bureaucratic affair, involving the delivery of national citizenship documents. Ceremonies in municipalities infuse the acquisition of citizenship with diverse local colours and meanings that are closer to the realities of immigrants and the public. These ceremonies can draw on symbols from the country's history of democracy and make parallels with other civic ceremonies, such as those for young people getting the right to vote. Ceremonies may involve public dignitaries and the media in order to raise public awareness. Their participation turns ceremonies into a platform for awareness-raising and, specifically, giving voice to new citizens. Stakeholders working on integration and active citizenship can use ceremonies as rallying points to recruit new volunteers or register new voters.

Active citizenship concerns how individuals can participate in civil society, community and political life. Volunteer and civic organisations engage new and old citizens as equals in concrete daily situations that help shape future citizenship policies and identity debates. Active citizenship initiatives and intercultural and citizenship education in compulsory education encourage the exercise of the rights and responsibilities that come with the acquisition of nationality, which fosters a shared sense of belonging in a diverse society.



## 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:

Gathering, analysing and sharing information  
Creating opportunities for dialogue and mutual learning  
Mobilising and engaging stakeholders in policy debates  
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.

The ACIT project was jointly carried out by the European University Institute, the Migration Policy Group, University College Dublin, University of Edinburgh and Maastricht University.

All results of the project are accessible on the EUDO CITIZENSHIP observatory at [www.eudo-citizenship.eu](http://www.eudo-citizenship.eu)

