



## **Ad-Hoc Query on the establishment of identity in connection with naturalization**

**Requested by FI EMN NCP on 26<sup>th</sup> of August 2015**

### **Compilation produced on**

**Responses from Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Slovak Republic, Slovenia, Sweden, plus Croatia, Norway (22 in Total)**

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### **1. Background Information**

For a person to obtain Finnish citizenship by application (naturalization), her/his identity must be reliably established. The Finnish Immigration Service will not look into other requirements for obtaining citizenship, such as language skills or residence period, until a person's identity has been established.

A person's identity can be established by means of documents or by providing other information which is considered reliable on the person's name, date of birth, citizenship, family relations and other personal data necessary to decide the matter. A relevant document may be a valid passport issued

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by a person's country of nationality, or another certificate of identity. When establishing a person's identity, any information provided earlier by the person on her/his own or her/his child's identity may be taken into account.

If a person has used more than one identity in the past, her/his identity will be considered to be established when she/he has been using only the personal information that has been marked in the Finnish Population Information System for ten years.

The problem is that sometimes a person's identity has not been established by means of documents, but her/his information has been registered in the Population Information System for less than ten years ago.

Therefore we kindly ask you to reply to the following questions:

1. How can the identity of a person, who applies for citizenship, be established? If her/his identity can be established by providing other information than a certificate of identity issued by her/his country of nationality, by which means can her/his identity be established?
2. If a person, who applies for citizenship, has no certificate of identity issued by her/his country of nationality, is it possible for her/him to obtain citizenship?
3. Is the period of residence that is required for naturalization longer if a person has no certificate of identity issued by her/his country of nationality? If yes, how long is it?
4. For a person to obtain citizenship, are there any other requirements the person must meet due to the lack of a certificate of identity issued by her/his country of nationality? If yes, what are those requirements?
5. If a person has changed her/his personal information, what is the consequence for naturalization? Is it possible for a person, who has changed her/his personal information, to obtain citizenship?

We would kindly request the responses by **25<sup>th</sup> of September**.

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## **ESTABLISHMENT OF IDENTITY IN CONNECTION WITH NATURALIZATION SUMMARY OF RESPONSES TO FINLAND'S AC HOC QUERY OF 26 AUGUST 2015**

In most States, the identity of a person, who applies for citizenship, is established by means of documents, such as a birth certificate or a passport. However, there are exceptions concerning the documents that are required from those applicants who have been provided international protection. In addition to the documentary evidence, a long period of residence may be significant with regard to the establishment of identity. In most States, it is possible to acquire citizenship despite of changes of identity. The intention to mislead the authorities may, however, cause rejection of an application.

### **Documentary evidence**

In most States, the identity of an applicant is established by means of documents, such as a birth certificate (Belgium, France, and Italy), a passport (Bulgaria, Finland, Germany, Latvia, Lithuania, Poland, Slovak Republic, and Sweden) or both (Czech Republic, Croatia, Cyprus, Greece, Hungary, Luxembourg, and Netherlands). However, there are also alternative procedures and documents for those who cannot submit a birth certificate or a passport (Bulgaria, Belgium, Finland, France, Germany, Lithuania, Netherlands, Norway, Poland, and Sweden).

### **Refugees and other persons who have been provided international protection**

Some States mentioned that there are exceptions concerning refugees and other persons who have been provided international protection (Bulgaria, Czech Republic, France, Germany, Greece, Hungary, Netherlands, Norway, and Slovak Republic). In Sweden, also data from close relatives can be invoked in some cases.

### **The length of the period of residence**



With regard to establishment of identity, some States referred to the length of the period after which citizenship can be applied (Estonia – eight years, Italy – ten years, and Luxembourg – seven years). According to some States, the identity has already been established in connection with a residence permit (Austria, Czech Republic, Estonia, Italy, and Slovenia). In Sweden, an applicant with no acceptable documents (or otherwise sufficient evidence) on identity can be naturalized only if (s)he has been residing for at least eight years in Sweden and (s)he can make credible that her/his identity is correct.

### **How do changes of identity effect naturalization?**

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According to several States, it is possible to acquire citizenship despite changes of identity (Austria, Belgium, Czech Republic, Croatia, Cyprus, Estonia, Finland, France, Germany, Greece, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Slovak Republic, and Sweden). However, the periods of residence with a false identity may not be taken into account for naturalization (Germany, Netherlands, Norway, and Sweden). Some States pointed that the reasons for changes of identity must be assessed (Austria, Hungary, and Italy).

## 2. Responses<sup>1</sup>



		Wider Dissemination? <sup>2</sup>	
	<b>Austria</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. The question of a person's identity is not raised for the first time when it comes to citizenship, but is a preliminary question in the context of lawful residence, which constitutes a prerequisite for the acquisition of the Austrian citizenship. The proof of identity is regulated in Art. 21 Asylum Act (means of evidence), in Art. 36 Federal Office for Immigration and Asylum Procedures Act and in Art. 34 and 94a Aliens Police Act.</li> <li>2. Yes.</li> <li>3. No.</li> <li>4. No.</li> <li>5. Any change of personal information requires justification, respectively necessary documents have to be provided. These cases may have criminal consequences.</li> </ol> <p>Source: Federal Ministry of the Interior</p>
	<b>Belgium</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. The identity of a person applying for Belgian nationality should in principle be proven by a birth certificate – duly legalized - issued by the country of birth. If a foreign national is unable to submit the above mentioned document, the law provides for the possibility to replace the birth certificate by another document on the basis of a “cascading system”: <ul style="list-style-type: none"> <li>- If the foreign national is unable to submit a birth certificate, an equivalent document can be issued by the diplomatic or consular authorities of the country of birth of the foreign national. However, this is only possible for certain countries, which are determined by a Royal Decree.</li> <li>- If the foreign national can demonstrate his/her inability or major difficulties to obtain an equivalent document, he/she may</li> </ul> </li> </ol>

<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<p>submit instead a “statutory declaration” (“acte de notoriété”/”akte van bekendheid”) issued by the Justice of the Peace of his/her place of primary residence in Belgium.</p> <ul style="list-style-type: none"> <li>- If the foreign national is unable to obtain a statutory declaration, it can be replaced by a sworn declaration made by the foreign national, with the authorization of the Court, having sought the opinion of the public prosecutor.</li> </ul> <p>2. No. But as mentioned in the answer to Question 1, there are several possibilities to replace the required birth certificate by another document.</p> <p>3. N/A</p> <p>4. No. As mentioned in the answer to Question 1, there are several possibilities to replace the required birth certificate by another document.</p> <p>5. If – at the moment of submitting an application to acquire Belgian nationality - there is a difference between the identity of the foreign national according to his/her birth certificate and the identity under which he/she is registered in the Population Register, the Foreigners Register, the Criminal Record, or the documentary evidence provided, the application for nationality is suspended until the foreign national’s name is spelled the same way in all the documents and registers. If the foreign national has no name or surname, he/she can start a procedure to obtain a name/surname. The application for nationality is then suspended until the foreign national has obtained a name/surname. If the foreign national decides not to start a procedure to obtain a name/surname, the procedure of acquisition of the Belgian nationality continues as set by law.</p> <p>Changes in identity that would take place afterwards, do not have an effect on the proceedings. It is for the foreign national to prove that his/her identity has been changed by submitting legal documentary evidence. Indeed, for the nationality, the identity that is used is the one appearing on the birth certificate.</p>
	<b>Bulgaria</b>	<b>Yes</b>	<p>In the proceedings for naturalization all applicants have undoubtedly established identity. They must prove their identity with a national document establishing identity - passport, internal passport.</p> <p>Persons under Article 13 of the Bulgarian Citizenship Act with objective inability to present a birth certificate are identified according issued by Bulgarian authorities identity documents and by submitting a certificate from the State Agency for Refugees for refugee status or humanitarian status with the referent date of grant.</p>
	<b>Cyprus</b>	<b>Yes</b>	<p>1. A person’s identity must be established in order to apply for naturalization by means of documents. Relevant documents are a valid passport issued by a person’s country of nationality and a birth certificate also issued by a person’s country of nationality. His/her identity cannot be established by providing any other information.</p> <p>2. No</p> <p>3. No</p> <p>4. No</p> <p>5. Yes. If a person has changed her/his personal information such as name before or after he/ she applies for nationality, he/ she has to submit a new passport issued by his /her country of nationality in order for his /her identity to be established and to obtain citizenship.</p>



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	<p><b>Czech Republic</b></p>	<p align="center"><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. A person who applies for Czech citizenship has to have permanent residence or has to be a beneficiary of international protection in the Czech Republic. That means that the identity of the person had been already established during the collection of the materials needed for obtaining residence authorization. Also, the concerned person is in the possession of the document which allows the verification of her/his identity and which was issued by the relevant authority of the Czech Republic. A person applying for Czech citizenship has to personally submit an application and while submitting this application the person has to present a valid residence permit of the Czech Republic or a document of a beneficiary of international protection and also a travel document. An applicant always has to present her/his birth certificate and other registry documents.</li>   <li>2. A person who applies for Czech citizenship is not obliged to present a valid travel document issued by his/her country of nationality in order to acquire Czech citizenship.    <p>In case a person who applies for citizenship of the Czech Republic is not a holder of a travel document issued by his/her country of nationality, it is sufficient if this concerned person presents a foreign passport or a document of a beneficiary of international protection which are issued by the relevant authority of the Czech Republic. A foreign passport is issued on a foreigner's request who has permanent residence in the Czech Republic or who is a beneficiary of subsidiary protection and who is not a holder of a valid travel document in case the concerned foreigner gives evidence of not being able – independently on her/his will – to obtain this document.</p> </li>   <li>3. The fact that the person is – or is not – in the possession of a certificate of identity issued by her/his country of nationality plays no role in determining the required period of permanent residence or the required period of factual residence of an applicant in the territory of the Czech Republic.    <p>Czech citizenship can be granted to a third country national if she/he has been lawfully permanently residing in the Czech Republic for a period of at least five years as of the date of application and whose residence was more or less continuous (in case of a EU citizen for a period of at least three years), or the permanent residence and a total of 10 years of lawful residence.</p> </li>   <li>4. Such an applicant has to absolutely unambiguously prove her/his identity by another document, for example by a foreign passport, in the way which prevents any possible future doubts.</li>   <li>5. A person applying for citizenship of the Czech Republic is still regarded as a foreigner and thus has an obligation to report some changes of her/his personal information to the relevant authority. In case a foreigner does not report such changes, then the person does breach one of the obligations necessary for granting of citizenship of the Czech Republic. The change itself (such as the change in surname after marriage or the change in permanent address) has no impact on granting of Czech citizenship.</li> </ol>
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			<p>Last of all it has to be emphasized that <u>the identity of a foreigner applying for citizenship of the Czech Republic has to be – under all circumstances – proved with no doubts.</u></p>
	<b>Estonia</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. A person can apply for citizenship after living in Estonia legally for 8 years. Therefore the person's identity has been established while applying for residence permit before applying for citizenship. In addition to the document issued by the country of nationality, the document issued by Estonian authorities can also be the document that proves the person's identity while applying for citizenship by naturalization. In general the person's identity can be established by means of documents or also by providing other information which is considered reliable on the person's name, date of birth, citizenship, family relations and other personal data necessary to decide the matter. In some cases also information received through official inquiries to other countries relevant authorities may be taken into account while establishing a person's identity.</li> <li>2. Yes.</li> <li>3. No.</li> <li>4. No.</li> <li>5. Yes, it is possible for a person, who has changed her/his personal information, to obtain citizenship. In practice the identity has been established before applying for citizenship and a person should change his personal information on his Estonian residence card or identity card before applying for citizenship. There is no time limit for how long the person has to use the newly established personal information before applying for citizenship.</li> </ol>
	<b>Finland</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. A person's identity can be established by means of documents or by providing other information which is considered reliable on the person's name, date of birth, citizenship, family relations and other personal data necessary to decide the matter. A relevant document may be a valid passport issued by a person's country of nationality, or another certificate of identity. When establishing a person's identity, any information provided earlier by the person on her/his own or her/his child's identity may be taken into account.</li> <li>1. If a person has used more than one identity in the past, her/his identity will be considered to be established when she/he has been using only the personal information that has been marked in the Finnish Population Information System for ten years.</li> <li>2. Yes</li> <li>3. Yes, if a person has used more than one identity in the past. No, if a person has not. See also our answer to the question 5.</li> <li>4. No</li> </ol>

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			<p>5. 5. If a person has used more than one identity in the past, her/his identity will be considered to be established when she/he has been using only the personal information that has been marked in the Finnish Population Information System for ten years. However, once her/his identity is considered to be established it is possible for her/him to obtain citizenship if the other requirements for naturalization are met as well.</p>
	<p><b>France</b></p>	<p align="center"><b>Yes</b></p>	<p>1. The identity of a person is established through a birth certificate issued by the authorities of the place of birth, either through the civil status registries informed at the time of the birth or through a supplementary judgement made by the country of origin if the declaration of birth is belated. If the latter procedure proves impossible, it must be raised before the High Court (Tribunal de Grande Instance) of the person's place of residence. The only exception applies when a birth certificate is issued by the French Office for Refugees and Stateless Persons (OFPRA), when the applicant is a refugee.</p> <p>2. Without a birth certificate or a judgement proving the identity of the person, the naturalization is not possible. In fact, the birth certificate must necessarily be provided when applying for naturalization.</p> <p>3. No, the extension of the period of residence is not required (see question 2). The application will simply not be instructed.</p> <p>4. No, there are not.</p> <p>5. There will be no consequence on the final decision on naturalization if the supporting documents proving the personal changes have been submitted (in most cases through a rectifying judgement or a birth certificate certifying the changes; sometimes through a statement of appropriateness). In conclusion, a person whose identity is not established, cannot apply for naturalization in France. The applicant must submit the supporting documents issued by his/her country of origin (except for the refugees in possession of documents issued by the OFPRA), respecting the civil status' rules of such country and the possible international agreements signed with France (which can require further administrative formalities such as the authentication and the apostille). If the applicant cannot submit these documents (for instance because civil status registries of his/her country of origin have been destroyed), he/she should ask for a supplementary judgement in France (an unusual formality but which has already been observed). Therefore, the submission of the birth certificate constitutes a basic minimum in order for a person to apply for naturalization. In any case, even if the application was accepted by the prefecture, it will then be dismissed pursuant to article 37-1 of decree 93-1362 of 30/12/1993.</p>
	<p><b>Germany</b></p>	<p align="center"><b>Yes</b></p>	<p>1. The establishment of the identity is always provided through the presentation of foreign passports/identity documents and documents indicating the civil status. German documents in lieu of passports, too, e.g. a travel document for refugees in accordance with article 28, section 1, Geneva Convention on Refugees (GCR) or a travel document issued for foreigners regularly constitute a (disprovable) proof of identity unless this function has been revoked by means of a corresponding note.</p> <p>2. If sufficient proof of identity has not been provided, an overall view of the circumstances for each individual case will be</p>





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			<p>relevant. The lack of the above documents does not preclude the naturalization of individuals if the residence to date has not revealed indications for doubts as to the identity. The managing authorities may also take into account reliable and plausible documents for the clarification of the identity. In individual cases an affidavit (affirmation in lieu of an oath) may also be taken into consideration.</p> <p>3. Yes, please compare question 1.</p> <p>4. No</p> <p>5. No.</p> <p>6. As soon as the identity of the applicant has been conclusively clarified, the naturalization can take place if all other conditions have been met. The reasons for the amendment of personal data are then taken into consideration. Any periods of residence that have been obtained by means of fraud will notably not be taken into account with regard to the prior residence periods required for the naturalization of the individual which means that the naturalization will not follow where applicable.</p>
	<p><b>Greece</b></p>	<p align="center"><b>Yes</b></p>	<p>1. There are 3 main documents that are requested during naturalization, through which the alien's identity can be sufficiently established:</p> <ul style="list-style-type: none"> <li>a. his/her residence permit in Greece.</li> <li>b. his/her (alien) passport, travel document or other proof of identification (eg his alien identity card). If the alien is objectively not in the position to hold an alien passport (eg war condition in his country of origin), a specific Committee in the Ministry of Interior investigates on this matter and issues a residence permit, on which the lack of passport is stated officially. In this case no passport is requested for the alien's naturalization.</li> <li>c. his/her birth certificate or other equivalent certificate that is issued according to the laws of his/her country of origin (eg baptism certificate). If the alien is beneficiary of international protection as political refugee or beneficiary of subsidiary protection or stateless and cannot present a birth certificate, the official act by which he has been acknowledged as refugee, beneficiary of subsidiary protection or stateless respectively, is taken into account for his/her naturalization (instead of a birth certificate).</li> </ul> <p>2. Yes, see our answer to question 1.</p> <p>3. No.</p> <p>4. No.</p> <p>5. Yes, it is possible. For the naturalization procedure the current personal information is taken into account, as long as it is sufficiently proven by official alien documents duly signed and translated. For example, if an alien has changed his/her name due to marriage, we ask for the relative marriage certificate, due to court order we ask for the relative</p>


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			<p>court decision, due to naturalization (in another country) we ask for the relative naturalization decision, etc. If necessary, we may also refer to the Greek Consulate in the relative foreign country, in order to provide us with the necessary assistance (information/clarification) regarding the alien's personal information.</p>
	<b>Hungary</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. By the main rule, a person could verify his/her identity with valid travel document (passport) and identity card. The applicant needs to verify his/her personal data in all kinds of immigration and citizenship procedures: name, place and date of birth, mother's maiden name, marital status, citizenship. The person could verify these data with birth and marriage certificates. It isn't obligatory to attach travel document and the certificates of birth and marriage if the person applies for asylum in Hungary. If the refugee doesn't have the above mentioned documents, his/her statement on personal data (by the acceptance of penalty perjury) may be taken as a basis of the procedure.</li> <li>2. Yes.</li> <li>3. No.</li> <li>4. No.</li> <li>5. The Hungarian authorities carry out further examination (requesting new documents, personal interviews, etc.) for clarifying the applicant's real identity, if they recognize at the procedure of naturalization that the applicant has plural identity. If it turns out that the applicant - in order to mislead the authorities - have given a false identity, the naturalization application will be rejected. If the person's plural identity turns out after obtaining Hungarian citizenship, it is possible to revoke the citizenship (maximum ten years after the acquisition of Hungarian citizenship). In these cases the Hungarian authorities investigate the applicant's reasons on the usage of plural identity too.</li> </ol>
	<b>Italy</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. 1. Italian citizenship is granted by naturalisation, by decree of the President of the Republic, to foreign nationals who: (a) have lived in Italy for ten years continuously; (b) have not been convicted of certain particularly serious offences; (c) prove to have sufficient income. To have 10 years of legal residence in Italy, a number of documents are required, including an identity document.                  Since 18 May 2015, applications for Italian citizenship may only be submitted electronically on a form provided by the Ministry of the Interior at the following address: <a href="http://cittadinanza.dlci.interno.it">cittadinanza.dlci.interno.it</a>                  The following documents must be attached to the application: 1) <i>Birth certificate</i>, legalised with legalised translation; 2) <i>Statement of criminal record</i> from the country of origin and from third countries of residence, if any, legalised with legalised translation (not required if the person concerned has had legal residence in Italy since his/her 14 years of age - in this case, only a short statement signed by the applicant); 3) valid identity document; and 4) receipt of payment of a € 200 fee.                  The personal particulars in the on-line application form (name, surname, date and place of birth) should be the same as those indicated in the documents issued abroad (birth certificate and statement of criminal record).                  Under Article 33 of Presidential Decree 28 December 2000, No 445 concerning administrative documents, the above documents should be legalised by the Italian diplomatic and consular authority in the issuing country, except for the exemptions set out in international agreements (Apostilles provided for in the Hague Convention of 5 October 1961 abolishing the requirement of</li> </ol>



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			<p>legalisation for foreign public documents).</p> <p>The certificates should be correctly translated into Italian (assessing the complexity and the cost of the entire procedure on a case-by-case basis and according to local regulation) as follows: (a) abroad, by the diplomatic representations or consular posts of the country of origin of the certificates; (b) <i>in the country of origin, according to local regulation- in this case, the signatures of the notaries or of the officials should be apostilled by the competent authorities;</i> (c) in Italy, by the competent diplomatic representations or consular posts of the States of origin of the certificates (a list of such offices is available on the Italian Ministry of Foreign Affairs' web site: <a href="http://www.esteri.it/MAE/IT/Ministero/Servizi/Stranieri/RapprStraniere">www.esteri.it/MAE/IT/Ministero/Servizi/Stranieri/RapprStraniere</a>); or (e) in Italy, with a translation, made by anyone who knows both the certificate's language of origin and Italian (except for the person concerned and his/her family members), legalised in any judicial office, including the Office of the Justice of the Peace.</p> <p>To this end, a guide is available, listing all exemptions from legalisation and translation for each State (<a href="http://www.prefettura.it/FILES/docs/1173/DocumentiCittadinanza.pdf">www.prefettura.it/FILES/docs/1173/DocumentiCittadinanza.pdf</a>).</p> <ol style="list-style-type: none"> <li>2. See answer 1. A TCN who has lived in Italy legally for 10 years has an Italian identity document. If he/she loses this document, for requesting a duplicate, the same rules applies that are applicable to Italian citizens.</li> <li>3. No.</li> <li>4. Not having an identity document is an issue that should be solved at the <i>time of entry</i>, especially for obtaining a residence permit, that is to say, way before the TCN acquires the entitlement to citizenship.</li> <li>5. Unless the person has committed a crime (identity falsification), the identity with which the applicant has acquired ten years of continuous residence on Italian territory will be used for naturalisation purposes.</li> </ol>
	<p><b>Latvia</b></p>	<p align="center"><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. Identity of a person is established from the personal identification document presented by this person when submitting an application for acquiring Latvian citizenship. Personal identification documents in Latvia are passport or identity card (eID).</li> <li>2. No</li> <li>3. This situation is not possible in Latvia as in order to acquire Latvian citizenship person needs to have a personal identification document.</li> <li>4. Requirements are the same for everyone, but in order to acquire Latvian citizenship person needs to have a personal identification document. If a person has changed his/her personal information it is still possible to acquire Latvian citizenship. If the information has not been provided to the Population Register of Latvia, person must provide documents which will certify the changes of personal information.</li> </ol>


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	<p><b>Lithuania</b></p>	<p align="center"><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. Personal identity is established according to information provided in personal documents a person presents (i. e. travel documents), issued by competent institutions of other countries. In case a person does not possess documents of this type, identity can be established on grounds of other reliable information (correspondence with competent institutions in the country, which issued documents; procedure of person's recognition (in case of possessing no documents); in the latter case, additional reliable information about person's education, occupation, life, family members, etc. is collected. Also, a person's identity can be established by a court.</li> <li>2. Yes.</li> <li>3. No. The period of residence that is required for naturalization is the same as in ordinary cases.</li> <li>4. The identity of a person has to be established before applying for citizenship. No specific requirements are set for persons lacking a certificate of identity issued by his/her country of nationality, only the ordinary requirements for obtaining citizenship through the procedure of naturalization.</li> <li>5. If a person has changed his/her personal information, s/he can apply for citizenship through procedure of naturalization, providing present information, which has to be marked in The Residents' Register Service and/or Aliens' Register.</li> </ol>
	<p><b>Luxembourg</b></p>	<p align="center"><b>Yes</b></p>	<ol style="list-style-type: none"> <li>1. In Luxembourg, an application for a naturalisation has to be accompanied, among others, by the following documents:             <ol style="list-style-type: none"> <li>a) A certified copy of the passport, respectively for the applicant recognised in Luxembourg as a refugee according to the Geneva Convention of 28 July 1951 relating to the Status of Refugees, a document certifying this quality by the competent authority.</li> <li>b) A birth certificate.</li> </ol> <p>The application will be asserted as a declaration of naturalisation only if all the requested documents have been attached to the application.</p> <p>Furthermore, one of the conditions for applying for the Luxembourgish nationality is that the applicant must have had an authorisation of stay (residence permit) for at least seven years in accordance with article 6 (2) of the law of 23 October 2008 on Luxembourgish nationality. As a consequence, the identity of the individual is already established since it was registered with the Directorate of Immigration and in the National Registrar of Physical Persons (article 1 (1) b and 4 (1) and (2) of the Law of 19 June 2013 on identification of physical persons. It is important to mention that, in Luxembourg, each individual who is legally residing in the territory has a unique identification number ("matricule") according to article 1 (2) of the Law of 19 June 2013.</p> </li> <li>2. No. See 1.</li> <li>3. No. See 1.</li> <li>4. N/A.</li> <li>5. If the information has been updated with the National Registrar of Physical Persons there is no problem because the national</li> </ol>



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			identity number is unique and any changes will be registered under this number.
	Netherlands	Yes	<p>1. A: For a person to obtain the Dutch citizenship by request (naturalization), her/his identity must also be reliably established. The Dutch municipalities will mostly not forward a request for naturalisation to the Dutch Immigration and Naturalisation Service if the person cannot show a passport and/or a birth certificate. However, if the person insists, and signs a letter that he/she is aware that the request may be rejected because of lack of the proper documents, forwarding is possible.</p> <p>A person's identity can be established in the first place by means of documents which are registered in the registers of his country of birth and have been legalised by these foreign authorities (birth certificate, marriage certificate, adoption certificate etc.).</p> <p>A relevant document is a valid passport issued by a person's country of nationality, and a birth certificate. When establishing a person's identity, any information provided earlier by the person on her/his own or her/his child's identity may be taken into account. In this case, if the certificate is registered with the municipal registration for personal data, the Dutch Immigration and Naturalisation Service can refrain from requesting the document. Because the document has already been presented to the government. But, if the Dutch Immigration and Naturalisation Service wants to assess the document, she is free to do so, even if the document was already registered.</p> <p>Also by providing other information which is considered reliable and is relating to the person's name, gender, date of birth, citizenship, nationality, address, family relations and other personal data can be necessary to decide on the matter.</p> <p>If a person has used more than one identity in the past, her/his identity will be considered to be established when she/he has been using only the personal information that has been marked in the Finnish Population Information System for ten years.</p> <p>The problem is that sometimes a person's identity has not been established by means of documents, also occurs in the Netherlands. There is an rule that for the registration on personal data, by lack of documents, a person can be registered on his/her own statement. For instance for asylum seekers this can be the case.</p> <p>2. In the Netherlands, former asylum seekers who want to acquire Dutch citizenship, are exempt from the document requirement (condition). So as for your question, is it possible for a person to acquire citizenship with no certificate issued by his/her country of nationality, the answer is yes. Persons who, however, resided on a regular permit of long-stay, have to show the documents. But without identity documents or passport, the answer is No.</p> <p>In some cases, it proves to be difficult for persons to acquire the documents, especially for persons who have been admitted for stay in the Netherlands in regularisations. In 2007 there has been a regularisation of ca. 25.000 persons, who were not granted an asylum seekers permit, but who had been granted a regular residence permit. When these persons were granted their permits, they were allowed to change their identity (if applicable). This came from the assumption that they might have had taken on another identity because of fear for their former authorities.</p> <p>In very rare cases, if the law proves out to be unreasonable, the Dutch immigration and naturalisation Service has the right to refrain from the conditions.</p>



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			<p>3. Is the period of residence that is required for naturalization longer if a person has no certificate of identity issued by her/his country of nationality? A: <u>No, this rule does not exist in the Netherlands.</u></p> <p>4. For a person to obtain citizenship, are there any other requirements the person must meet due to the lack of a certificate of identity issued by her/his country of nationality? A: No. The burden of proof lies with the person. This means that someone has to perform and make serious efforts to get the required documents.</p> <p>5. If a person has changed her/his personal information, what is the consequence for naturalization? Is it possible for a person, who has changed her/his personal information, to obtain citizenship? A: If the personal data have been changed, the condition that he/she should have a permanent residence stay for at least 5 years, starts over again. For instance someone requests for citizenship in his 6<sup>th</sup> year of stay. If he changed his personal data in the municipal registration in year four of his stay, then he cannot apply for citizenship, but must wait another 5 years before he can request again.</p> <p>For further questions: <a href="mailto:vc.monfils@ind.minvenj.nl">vc.monfils@ind.minvenj.nl</a></p>
	<b>Poland</b>	<b>Yes</b>	<p>1. Each procedure of acquisition of Polish citizenship requires presentation of an identity document by the foreigner (certifying his/hers personal data). Passports, identity cards, Polish identity documents for foreigners are considered as such documents.</p> <p>2. Yes. Foreigner applying for Polish citizenship is not obliged to provide an identity document issued by his/hers country of origin but must have an identity document, for example the Polish identity document for foreigners.</p> <p>3. No. Act on the Polish citizenship does not make differences between foreigners applying for Polish citizenship who have an identity document issued by their country of origin and those who have not.</p> <p>4. There are not extra requirements for foreigners applying for Polish citizenship who don't have an identity document issued by their country of origin. According to the Polish law the foreigner applying for Polish citizenship must provide any identity document – see answer 1 and 2.</p> <p>5. Foreigner applying for Polish citizenship who has changed his/hers personal data during the procedure of acquisition of Polish citizenship shall provide an identity document containing new personal data.</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<p>1. The Ministry of Interior of the Slovak republic (Department of nationality) does not establish the identity of a person who applies for the citizenship of the Slovak Republic. The applicant needs to submit a valid travel document of the country of his origin and a residence document which is issued by the Bureau of Border and Alien Police of the Presidium of the Police Force of the Ministry of Interior of the Slovak Republic.</p> <p>2. Yes in the case of a refugee and a person with subsidiary protection. Those persons have also issued the residence document stated in the point 1.</p> <p>3. No</p>

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			<p>4. No.</p> <p>5. If a person has changed his/hers personal information, he/she will request the country of origin for the issuance of a new travel document and the Bureau of Border and Alien Police of the Presidium of the Police Force of the Ministry of Interior of the Slovak Republic for the residence permit document based on the documents proving the change of personal information. The change of personal information does not affect the acquisition of citizenship in other way.</p>
	<b>Slovenia</b>	<b>Yes</b>	<p>1. For an alien who applies for citizenship of the Republic of Slovenia by naturalisation is required, by the national legislation, to obtain a legal status. Legal status is recognized if the alien has a valid permanent or temporary residence permit of the Republic of Slovenia or a certificate of residence registration for European Union citizen. Namely, in the procedure for issuing permanent or temporary residence permit the question of the identity of an alien has been previously resolved.</p> <p>2. Yes, that person has an identity card of an alien, issued in Republic of Slovenia.</p> <p>3. No, it is the same period of residence.</p> <p>4. There is no other requirement.</p> <p>5. In case of change of personal information the person must demonstrate a change to the corresponding document, such as birth certificate.</p>
	<b>Sweden</b>	<b>Yes</b>	<p>1. In order to prove the identity in naturalization cases, a national passport or a national identity card with photo is normally accepted. The document may not be of simple design and it shall be issued by a competent authority. The person must himself have applied for, or retrieved the identity document from the authority that issued it. There can be no doubt that the document is genuine.</p> <p>1. Acceptable documents are in addition to the above also some identity documents issued by a competent authority in another country where the applicant has been a permanent resident, unless it can be assumed that the document was issued only at the holder's own data. An example of such an identity document is a travel document issued to Palestinian refugees in Lebanon. Special identity certificates issued by the country's embassy are acceptable under the same conditions stated above for passports and identity documents. The certificate shall relate to the person's entire identity and not just citizenship. The certificate must also state that the embassy has done a check of the identity of the person associated with the issue.</p> <p>Although the applicant cannot show documents that are sufficient to meet the burden of proof, the identity of the principle of the free assessment of evidence can be established in some cases. It is then required that the case, in addition to the cited documents, there is another event which gives a strong and unequivocal support for the applicant's alleged identity. One or more individually insufficient documentation that may be combined with other circumstances can be regarded as sufficient evidence. Also data</p>

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			<p>from close relatives can be invoked.</p> <p>2. According to practice, a close relative can sometimes prove an applicant's identity. Requirements for this to be possible are:</p> <p>That the relative is a husband / wife, parent, sibling or adult child The relative must itself be a Swedish citizen The relative must themselves have proven their identity in a way that is acceptable today (eg, having verified his identity with a passport, we also accept today to establish the identity, the relative must not itself have had its identity confirmed by a close relative). The applicant and the relative must have presented consistent information about each other at the previous permit at the Migration Board of identity, relationship, background, family and more. Spouses who must confirm each other's identity must have lived together in the home country.</p> <p>An applicant in a naturalization case that cannot prove their identity in accordance with section 11 of the Swedish Citizenship Act may, under section 12, be naturalized only if he or she have at least eight years residence in Sweden and makes probable that the claimed identity is correct.</p> <p>The exemption presupposes that the applicant's credibility on the information he or she leaves for his identity, and the reason that identity cannot be verified, cannot be questioned.</p> <p>Exemption is granted if the applicant can make credibly that the identity he or she says is correct. Probability assessment is based on all the circumstances of the case and leads to an overall assessment. The starting point is the credibility of the information provided by applicants about their identity and the reason why he could not prove his identity.</p> <p>An example of a factor that should weigh heavily in terms of credibility regarding the information on his identity is if he or she maintains the same information throughout their stay in Sweden. The applicant shall not be able to provide an acceptable identity document, such as when the state administration of their country ceased to function, or for refugees who can not get in touch with their home country to obtain documents.</p> <p>The principle of free assessment of evidence applies. If an applicant for example shows documents alone that cannot prove identity, the documents together, and together with the applicant's other tasks, may be sufficient sometimes to prove the identity.</p> <p>3. Yes, eight years - see above 4. See above regarding the exemption possibility</p> <p>5. If an applicant has lived in Sweden under an identity that is not correct, the applicant is not allowed to count the period when he or she stayed in Sweden with an incorrect identity as a period of habitual residence. The applicant may count the period of habitual residence from the day he or she submits new information about his or her identity and later proves the identity and</p>
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			<p>rectifications has been made at the Swedish Tax Agency.</p> <p>If an applicant has changed his or hers identity during the time he or she has lived in Sweden, it is more difficult to make an exception to the proof of identity requirement. It is thus possible for a person who changed his identity, to obtain Swedish citizenship.</p>
	<b>Croatia</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. In the process of acquiring Croatian citizenship by naturalization establishing the identity of the applicant is done by examining the valid identification document , primarily a travel document the state of which he is a national or by checking other identification document with a photograph (for example, identity card, identity card for foreigners). The application should be accompanied by a valid birth certificate or other document of the competent foreign authority which clearly states the name of the person, the place and date of birth and data have to be consistent and identical data entered in the identification document. If the applicant does not have the documents from which he/she could establish his/her identity it might be possible through the institution of international legal assistance request the necessary actions to establish their identity.</li> <li>2. The person can apply for Croatian citizenship, but such a request could not be positively resolved if it is a person whose identity has not been determined.</li> <li>3. The necessary length of stay for the citizenship application depends on the legal basis on which the request is based and does not depend on whether the applicant has an identification document from the country of whose he/she is a citizen. On the other condition that his/her identity has been established by other means, for example, an identification document for a foreigner. However if the applicant is a person whose identity was not established it is not possible to acquire Croatian citizenship by naturalization.</li> <li>4. No. If the person's identity has not been determined the person cannot acquire Croatian citizenship by naturalization.</li> <li>5. If a person change personal information he/she may acquire Croatian citizenship, but it is necessary to prove that the changes in personal data were carried out in accordance with the law and in a way to show accurate and true personal data. For this purpose it is necessary to submit valid documents issued by the relevant authorities from which it is possible to determine when and on which legal grounds changes of personal information have occurred and from which moment the person is using the changed personal information (e.g. a certificate of the competent authority on the name change).</li> </ol>
	<b>Norway</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. If the applicant cannot provide documentary evidence of his or her identity the identity may after assessment of the specific case, be deemed clarified if the information regarding the applicant does not give grounds for doubt. This will apply in cases where the applicant's former home country (i) lacks a functioning central administration, or for other reasons, (ii) it is impossible to obtain an original, valid passport or (iii) other identity document that has been recognized as a travel document, or (iv) if the applicant had a legitimate reason for leaving his or her home country without an original valid passport, and (v) it is inadvisable for reasons of personal safety for the applicant to contact the authorities of his or her former home country.</li> </ol>

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			<p>2. Yes</p> <p>3. No</p> <p>4. Yes The person's identity must be clarified. The level of certainty is general preponderance of probability (highly likely that it is possible/probable). If we have any information that gives us reason to doubt the applicant's identity, the application for citizenship will be rejected. The person is obliged to assist in clarifying his/her identity to the extent that the immigration authorities so require. A foreign national will not be required to assist in clarifying his or her identity in a manner which conflicts with a need for protection.</p> <p>5. If the change in personal information gives reason to believe that the person previously has given false information about his/her identity, his or her residence permits may be revoked and the person may be expelled from Norway. If the new identity is clarified and the person is granted a new residence permit, the person may be granted Norwegian citizenship after fulfilling the other requirements for Norwegian citizenship.</p>
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