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Ad-Hoc Query on 2023.52 Legislation on the Acquisition of Citizenship for New Generations

Requested by EMN Italy on 11 December 2023

Responses from EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Portugal, EMN NCP Serbia, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden, EMN NCP Ukraine (25 in Total)

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1. BACKGROUND INFORMATION

In the context of immigration and, specifically, of the regulation citizenship acquisition modalities, in Italy particular attention is paid to how and through which possible pathways the so-called “New Generations” (i.e., children with both parents who are third-country nationals, born in Italy or arriving in Italy before reaching the legal age) obtain or can obtain the Italian citizenship.

These modalities may include: the acquisition of citizenship at birth in the national territory (*iure soli*), before reaching the age of majority (for example in connection with school attendance), upon reaching the legal age, through parents' naturalization (the so-called “extension mode”).

It is generally agreed that the appropriate modalities should adequately support and foster integration processes, considering the prerequisites and requirements, as well as the procedural and organizational solutions adopted. In recent years, projects have been discussed in Italy to introduce the so-called tempered *iure soli* (i.e., the acquisition of citizenship at birth in presence of certain integration conditions of the parents) and/or the so-called *iure culturae* (acquisition in relation to school attendance).

In this regard, Italy would like to gather information on the situation from the above-mentioned perspective in various EU Member States, focusing on legislative developments and regulations as of 1 January 2020.

The deadline has been discussed with and agreed by the chair of the AHQ WG and the watchdog for AHQs.

We would like to ask the following questions:

1. Since 1 January 2020, have any changes been implemented in laws and regulations in relation to the acquisition of nationality? YES/NO. If the answer is YES, please explain.

2. Did the changes concern prerequisites and requirements for the acquisition of nationality? YES/NO. If your answer is YES, please explain.

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3. If you answer YES to Q.1, did the changes affect the procedure (i.e. simplifying the procedure, introducing options) and the organization of the authority(ies) that take the decision? YES/NO. If your answer is YES, please explain.

We would very much appreciate your responses by 22 January 2024.

2. RESPONSES

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		Wider Dissemination	
	EMN NCP Austria	Yes	<p>1. Yes. In Austria, the Citizenship Act 1985 has been amended several times since 1 January 2020 with regard to the acquisition of citizenship:</p> <ul style="list-style-type: none"> • Federal Law Gazette I No. 96/2019: Extension of the facilitated acquisition of citizenship for persons persecuted by organs of the NSDAP or by the authorities of the German Reich and their direct descendants (see also Stiller 2019, Möglichkeiten des Staatsbürgerschaftserwerbs durch Fremde in Österreich, p. 61ff); • Federal Law Gazette I No. 65/2021: repeal of part of the Citizenship Act 1985 (removal of the specific obstacle to conferral [reference to Art. 53 para. 2 subpara 3 Aliens Police Act 2005 in Art. 10 para. 2 subpara 1 Citizenship Act 1985]) by the Constitutional Court due to lack of objective justification; • Federal Law Gazette I No. 206/2021: In accordance with an authorization under EU law (Art. 44 para. 2 Regulation - SIS Police and Justice and Art. 34 para. 2 Regulation - SIS Border), a legal basis was created that allows the citizenship authorities to carry out searches in the Schengen Information System (SIS) with regard to a foreigner if they need this information for the decision on the acquisition


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		<p>of citizenship. The citizenship authorities can thus directly query the information that is relevant for the exclusion of naturalization (e.g. in the case of terrorist offences committed in another Member State) and are not dependent on other authorities for such data queries.</p> <ul style="list-style-type: none"> • Federal Law Gazette I No. 48/2022: legal adaptation in order to enable the direct descendants of persons persecuted by organs of the NSDAP or by authorities of the German Reich to acquire citizenship by notification in an appropriate manner, even in cases not previously covered; • Federal Law Gazette I No. 49/2022: Adjustment of the application deadline to the deadline stipulated in the Convention on the Reduction of Statelessness (persons born in Austria and stateless since birth can apply for citizenship after reaching the age of 18 no later than three - instead of two - years after reaching the age of majority; see EMN Austria 2023, Annual Report 2022 on Migration and Asylum in Austria - Contribution to the Annual Reports of the Commission and EUAA, p. 50f). <p>Amendments were also made to the Citizenship Ordinance 1985:</p> <ul style="list-style-type: none"> • Federal Law Gazette II No. 399/2020: among other things, it was specified which documents and proofs must be submitted when acquiring citizenship by notification pursuant to Art. 58c Citizenship Act 1985 and that these must be submitted in the original; documents and proofs that are not written in German must also be submitted in German at the request of the authority; • Federal Law Gazette II No. 280/2022: a further specification of the documents and evidence to be submitted as part of the notification pursuant to Art. 58c Citizenship Act 1985. <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. Yes, because the possibilities for acquiring citizenship have been extended (see Q1, e.g. Federal Law Gazette I No. 96/2019, Federal Law Gazette I No. 48/2022 and Federal Law Gazette I No. 49/2022) or obstacles to conferral have been lifted (see Q1, Federal Law Gazette I No. 65/2021).</p>
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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. There were no legislative changes to the provisions of the Belgian Nationality Code related to the acquisition of nationality (Article 12bis), which was last amended in 2018 (Law of 18 June 2018 modifying the Nationality Code). A Royal Decree executing the Law of 2018 was adopted on 6 May 2020, implementing amendments relating to certain procedural aspects (e.g. regarding the documents taken into account as evidence of the previous legal stay of the applicant, documents to support declarations by parents in relation to the nationality of their child, instructions for civil servants with regard to the collection of certain official documents).</p> <p>However, since 1 January 2020, other legislative changes have been implemented which impact the acquisition of Belgian citizenship. In 2022, the Flemish Decree on integration and civic integration policy was amended to include the possibility for individuals who are unable to complete the Flemish civic integration programme due to limited learning capacities to obtain a “declaration of efforts to achieve an integration certificate”. This declaration can be considered sufficient proof to fulfil the social integration criterion for the acquisition of Belgian citizenship. In 2022, the French Community Commission Decree was amended, extending access to the French-speaking civic integration programme in Brussels to all third-country nationals who hold a residence permit of more than three</p>



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		<p>months, regardless of the duration of their stay in Belgium. This programme was previously only accessible to newcomers.</p> <p>In addition, the following court rulings also have an impact on the acquisition of Belgian nationality:</p> <ul style="list-style-type: none"> • On 9 June 2022, the Constitutional Court ruled that parental leave does not constitute an interruption of employment to acquire Belgian citizenship (ruling n°79/2022). One of the requirements for third-country nationals applying for Belgian citizenship is to demonstrate their 'social integration'. This criterion is fulfilled if the applicant can prove five years of uninterrupted employment. The Court issued a ruling in the case of an applicant who had been refused citizenship on the basis that she did not meet the criterion of uninterrupted employment, as she had taken parental leave for a few months. In its ruling, the Court stated that the interpretation that parental leave interrupts the period of employment is a violation of the right to private and family life, enshrined in Article 8 of the European Convention on Human Rights (ECHR) and Articles 22 and 22bis of the Belgian Constitution. • On 23 March 2023, the Constitutional Court ruled that the obligation to fulfill both oral and written components of the language requirement in view of acquiring Belgian citizenship (level A2 of the CEFR) was discriminatory towards illiterate persons (ruling n°53/2023). The Court demonstrated that the fact that the written level A2 was not achieved by these persons cannot be attributed to an unwillingness to integrate or a lack of effort, but to a lack of certain basic linguistic competences. <p>2. Yes:</p> <ul style="list-style-type: none"> • The amendment to the Flemish decree lowers the threshold to meet the social integration requirement through the completion of a civic integration programme. • Constitutional Court ruling n°79/2022 clarifies the conditions to meet the social integration requirement through the completion of five years of uninterrupted employment. • Constitutional Court ruling n°53/2023 calls for a revision of the conditions to meet the language requirement for a certain category of persons. <p>3. Constitutional Court ruling n°53/2023 should in principle lead to procedural changes (simplifying the procedure to meet the language requirement for illiterate persons). This has not yet happened. Until legislation is changed, it</p>
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			is up to the authorities that have to assess citizenship applications to determine, on a case-by-case basis, whether the applicant is capable of fulfilling the entire A2 level (both components).
	EMN NCP Bulgaria	Yes	<ol style="list-style-type: none"> 1. No 2. N/A 3. N/A
	EMN NCP Croatia	Yes	<p>1. The Act on Amendments to the Croatian Citizenship Act (Official Gazette, No. 102/19), entered into force on 1 of January 2020.</p> <p>The amendments to the Act increased the age limit from 18 to 21 years for acquiring Croatian citizenship by origin, for a child born abroad, whose one parent is a Croatian citizen at the time of his birth, in order to give him the opportunity to personally submit an application for his entry in the register of Croatian citizens, if his parents failed to do the above until he came of age (Art. 5.) .</p> <p>For the acquisition of Croatian citizenship by emigrants and their descendants, the generational restriction in a straight line was abolished (until then there was a restriction up to the 3rd degree of kinship). They are also exempt from the obligation to prove knowledge of the Croatian language and Latin script, Croatian culture and social order (Art. 11).</p> <p>According to the amended provision of article 16, the proof of belonging to the Croatian nation does not have to be submitted by a person whose parents have been unequivocally established as belonging to the Croatian people. This is an exception to the provision of the mentioned article, according to which belonging to the Croatian people is determined by previous declarations in legal transactions, by stating that affiliation in certain public documents, through the protection of rights and promoting the interests of the Croatian people and by active participation in Croatian cultural, scientific and sports associations abroad.</p> <p>2. See above answer.</p>

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			3. The procedure for acquiring Croatian citizenship has been simplified for emigrants and members of the Croatian people abroad.
	EMN NCP Cyprus	Yes	<p>1. Yes. By amending the Civil Registry Law in 2023, the possibility of naturalization is given to young people based on the naturalization of the parent, even when they have reached the age of majority on the date of granting the naturalization of the parent, assuming that they were minors on the date of application of the parent for naturalisation.</p> <p>2. Yes. The change in legislation refers to the naturalisation of a young person under the condition of a minor dependent at the date of the parent's application.</p> <p>3. No. The changes do not affect the procedure.</p>
	EMN NCP Czech Republic	Yes	<p>1. Yes, as of 1 January 2020, several partial legislative and technical changes were made to Act No.186/2013 Coll., which regulates the acquisition and loss of citizenship in the Czech Republic, especially in connection with the adoption of other legislation regulating the area of identity cards or the digitisation of public administration. However, these changes did not have any impact on the conditions for acquiring citizenship of the Czech Republic, on the procedures of the public administration body in the performance of the Czech citizenship agenda, or any impact in terms of the competence of public administration bodies in the field of the Czech citizenship agenda.</p> <p>2. No.</p> <p>3. No.</p>

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<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. YES</p> <p>On November 25, 2020, the Citizenship Act was amended to allow the Estonian government to revoke Estonian citizenship from individuals who have been convicted of treason, espionage against the Republic of Estonia and supporting such activities, preparing for a terrorist crime, inciting, funding, or committing terrorist acts, belonging to a terrorist organization, or traveling for terrorist purposes.</p> <p>On May 15, 2021, the Citizenship Act was amended to introduce an automatic biometric identification system database, enabling the processing of biometric data collected during the procedures of acquiring or restoring citizenship for the purpose of identifying individuals and verifying their identity.</p> <p>On July 19, 2022, the Citizenship Act was amended to allow the Estonian government to revoke Estonian citizenship from individuals who have been convicted for crimes against humanity or aggression and from individuals who have entered foreign state military, intelligence, or security services, or have joined a foreign organization engaged in wielding arms or conducting military exercises, if this poses a threat to public order or national security.</p> <p>On June 20, 2023, amendments to the Citizenship Act were adopted to facilitate the implementation of rights and obligations arising from the amendments of the Cohabitation Act, which granted the same rights to registered partners as married couples. Firstly, if current law permits a minor to obtain Estonian citizenship upon the request of one parent when that parent raises the child alone, the amendment specified the definition of a single parent to include situations related to registered cohabitation. Secondly, regarding the existing law's refusal to grant citizenship or its restoration to the spouse of a foreign armed forces serviceman and allowing citizenship for a foreign armed forces serviceman married for at least five years to an individual who acquired Estonian citizenship by birth and whose marriage has not been dissolved, the amendment expanded the exceptions for granting citizenship or refusing it to the registered cohabiting partner, considering the close relationship between registered cohabitants.</p> <p>2. YES</p> <p>The amendment adopted on June 20, 2023, broadened the exceptions for granting citizenship, allowing citizenship for foreign armed forces servicemen who are registered partners of individuals who have acquired Estonian</p>
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			<p>citizenship by birth. The change arised from the Cohabitation Act, which grants the same rights to registered partners as married couples.</p> <p>3. Yes The amendment adopted on May 15, 2021, affects procedures, as an automatic biometric identification system database was introduced, enabling the processing of biometric data collected during the procedures of acquiring or restoring citizenship for the purpose of identifying individuals and verifying their identity.</p>
+	EMN NCP Finland	Yes	<p>1. NO. There have been three amendments to the Finnish nationality act since 2020, but they all have been minor and technical in nature, and not related to acquisition of nationality.</p> <p>2. NO</p> <p>3. N/A</p>
■	EMN NCP France	Yes	<p>1. Yes. Raising the language level. The decree no. 2019-1507 of 30 December 2019, modifying the decree of 30 December 1993 on declarations of nationality and decisions on naturalization, reintegration, loss, forfeiture and withdrawal of French citizenship, came into force on 1 January 2020, with the exception of the provisions on raising language levels, which came into force on 1 April, 2020. This decree raised the language level (from B1 oral to B1 oral and written of the Common European Framework of Reference for Languages-CEFR) required for foreign nationals wishing to acquire French citizenship by naturalization, reinstatement or declaration of nationality on the grounds of marriage to a French spouse. This decree also reformed the exemptions relating to the production of a diploma or certificate justifying this language level. The decree also introduced the requirement of an extract of foreign criminal record for declarations of French nationality by adults. This requirement already existed for declarations issued by the Ministry of the Interior. It has been extended to declarations submitted by the Ministry of Justice.</p>

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		<p>Electronic filling and processing of applications for French citizenship by decree (nationality or reinstatement in French citizenship)</p> <p>After an experiment in a few French departments since July 2021, as of 6 February 2023 (decrees no 2023-64 and no 2023-65 of 3 February 2023), all applications for access to French citizenship by decision of the public authority (application for naturalization and French reinstatement by decree) filed on the national territory (with the exception of Overseas territories: French Guiana, Saint-Barthélemy, Saint-Martin, Saint-Pierre-et-Miquelon, Wallis and Futuna, French Polynesia and New Caledonia, where the service is due to open in 2024) are processed by dematerialized means, via the NATALI online service. Anyone who fulfill the eligibility criteria (regular residence in France, habitual and continuous residence in the country for five years, absence of certain criminal convictions, good moral character, assimilation into the French society, in particular through a sufficient knowledge of the French language, and adherence to the essential principles and values of the French Republic) must now submit their application for naturalization online. Declarative acquisition procedures processed by the Ministry of the Interior (as the spouse of a French national, ascendant, brother or sister of a French national) are not yet concerned by this dematerialization. The extension of the dematerialization to these procedures is planned for the end of 2024, during 2025.</p> <p>Decentralization of the registration of declarations of French citizenship under the responsibility of the Ministry of the Interior : As of February 6, 2023 (decree no. 2023-65 of 3 February 2023), the registration of a French national in the capacity of spouse of a French national, ascendant, brother or sister of a French national falls under the jurisdiction of the prefect of the Department in which the applicant resides, or, in Paris, the prefect of the police, in place of the ministerial authority, which remains competent to rule on cases where local investigating services consider that the legal conditions have not been met, or that there are grounds for opposition (unworthiness or lack of assimilation, etc).</p> <p>2. YES. The rules laid down by the decree no. 2019-1507 of 30 December 2019, which came into force on 1 January, 2020 and 1 April, 2020, have particularly affected the conditions and requirements prior to acquiring the French citizenship. Firstly, the French language level required for foreign nationals wishing to acquire French</p>
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			<p>citizenship by naturalization, reinstatement or declaration of nationality by marriage to a French national, has been raised, and now corresponds to level B1 of the Common European Framework of Reference for Languages (CEFR) in oral and written language. Before this decree came into force, the required language level was B1 oral. To prove their language level, applicants must now produce either the High School certificate (diplôme national du brevet), or a diploma issued by a French authority, in France or abroad, attesting to a level of training at least equal to level 3 of the French nomenclature of training levels, or a diploma attesting to a level of French language at least equivalent to level B1 ; or a certificate issued less than two years following a language test organized by certified bodies (France Education International and the Paris Chamber of Commerce and Industry).</p> <p>In addition, the decree of 30 December 2019, has modified the exemptions concerning the production of a diploma or attestation mentioned above, in particular, by removing the exemptions previously granted to refugees over the age of 70 residing in France for more than 15 years and to ascendants of French nationals over the age of 65 benefiting from a specific declaration procedure. Exemptions now apply to applicants who hold a diploma issued by the authorities of one of the countries listed in Appendix 4 of this decree (four French-speaking countries plus Algeria, Morocco and Tunisia), following studies in French, and who can provide a proof of the recognition of their diploma by producing an « attestation of comparability » issued by the ENIC-NARIC center, part of France Education International. To constitute an exemption, this attestation must mention a level of training at least equal to level 3 of the French nomenclature, and specify that the diploma was obtained at the end of a course of study followed in French.</p> <p>Applicants working in a regulated profession (e.g . doctors, pharmacists, psychologists, medical auxiliaries) for which the ENIC-NARIC center cannot issue an attestation of comparability, must provide a proof of the French language knowledge in the form of a French knowledge test certificate issued by the French Ministry of Education, a French evaluation test certificate issued by the Paris Chamber of Commerce and Industry) or another diploma. Applicants whose handicap or chronic deficient state of health makes it impossible for them to undergo a language test under ordinary conditions may also produce a medical certificate justifying either the need to adapt the tests, or the impossibility of undergoing a language test. If there is any doubt about the sincerity of the medical certificate, a second opinion may be requested.</p>
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		<p>3. YES. The widespread deployment of the NATALI online-service (end-to-end dematerialization of naturalization applications) as from 6 February 2023, as set out in the decree of 3 February 2023, has affected the procedure for applying for French nationality by decree, by simplifying the procedures for accessing French citizenship for both the user and the authorities making the decision. On the one hand, one-line procedure enables the users to submit their application for French citizenship online, from their computer, tablet or smartphone. This means that users no longer have to travel or send their application by post, and can track the progress of their application at any time via their online account, and respond at any requests for additional information. They will only need to come to the platform for the assimilation interview and, if the decision is favorable, for the ceremony to welcome them into the French citizenship. For users who encounter difficulties in using the online procedure, a number of support services have been set up. These include either telephone assistance (via a dedicated toll-free number) or a contact form (accessible on the https://ants.gouv.fr/contactez-nous website), or physical assistance. Physical reception is handled by digital reception points in prefectures and sub-prefectures (by appointments only) that have a department responsible for foreign nationals.</p> <p>In addition, the new provisions introduced by the decree no. 2023-65 of 3 February 2023, to improve the efficiency of the processes for acquiring French nationality under the authority of the Ministry of the Interior and Overseas Territories and to step up the fight against fraud, notably apply to:</p> <ul style="list-style-type: none"> – a time limit on the possibility of submitting a new application in the event of an adjournment or rejection decision for naturalization and reinstatement procedures ; – the introduction, for the declaratory procedures falling within the remit of the Ministry of the Interior, of a system for closing cases without further action after formal notice if the documents required to submit the declaration have not been produced ; – the possibility for the authorities to request a new medical certificate from a doctor if there are doubts about the validity of a medical certificate produced by applicants requesting exemption from language assessment for reasons relating to their state of health or disability ; – the possibility for the authorities to carry out an investigation into community of life after the registration of a declaration of marriage in order to support, if necessary, a legal challenge to the registration under
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			<p>article 26-4 of the civil code;</p> <ul style="list-style-type: none"> – the possibility for the authorities to carry out an additional investigation and schedule a new interview after a refusal to register has been overturned by a court.
	EMN NCP Germany	Yes	<p>1. Yes. The last significant changes of the German Nationality Act (current version available online under https://www.gesetze-im-internet.de/englisch_stag/) were made in 2021. The amendment mainly created a legal entitlement to naturalization for individuals whose families were persecuted by the Nazi-Regime due to their political, racial, or religious beliefs. Furthermore, the amendment foresaw that a person cannot be naturalized if he or she was convicted of an antisemitic, racist or xenophobic offence, or other criminal offence evidencing contempt for humanity.</p> <p>2. No, not concerning the target group mentioned in the background information of the present AHQ (“New Generations”).</p> <p>3. N/A</p>
	EMN NCP Greece	Yes	<p>1. The provisions of the Greek Citizenship Code (GCC- Law 3284/2004- Government Gazette of the Hellenic Republic issue number: 217 A’) which refer to the acquisition of Greek citizenship by the “New Generations”, are: 1) article 1 para (2), point (a) of the GCC, as amended by Law 3838/2010 (Government Gazette of the Hellenic Republic issue number: 49 A’), 2) articles 1A and 1B of the GCC as amended by Law 4332/2015 (Government Gazette of the Hellenic Republic issue number: 76 A’), 3) article 7 para (4) of the GCC as last amended by Law 4795/2021 (Government Gazette of the Hellenic Republic issue number: 62 A’) and 4) article 11 of the GCC, as amended by Law 4735/2020 (Government Gazette of the Hellenic Republic issue number: 197 A’). According to the provisions of <u>article 1 para (2), point (a) of the GCC</u>, children born to non-Greek parents in Greece acquire Greek citizenship from birth if one of their parents was born in Greece and resides permanently in Greece from birth.</p> <p>Concerning the acquisition of Greek citizenship on the grounds of birth and Greek schooling, according to the provisions of <u>article 1A para (1) of the GCC</u>, in order for a child of alien citizens to be eligible to acquire Greek</p>

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		<p>citizenship on the grounds of birth and Greek schooling, certain cumulative conditions, pertaining to the child's birth and schooling in Greece, as well as to his/ her parents' legal residence, should be fulfilled.</p> <p>Moreover, according to the provisions of <u>article 1B para (1) of the GCC</u>, a foreign minor who resides permanently and legally in Greece, is eligible to acquire Greek citizenship due to Greek schooling, as long as he/ she has successfully attended either 9 school years of primary and secondary education or 6 school years of secondary education.</p> <p>Furthermore, according to the provisions of article 1B para (2) of the GCC, a foreigner who resides permanently and legally in Greece and has graduated from a department or faculty of a Greek Higher Educational Institution or Technical Education Institution, is eligible to acquire Greek citizenship, as long as he/ she has a school-leaving certificate, issued by a Greek secondary school. In addition, as far as the process of naturalisation is concerned, according to the provisions of article 7 para (4) of the GCC, those who have studied at a Greek school, or a school which follows the compulsory Greek programme of education and instruction, are exempt from the requirement to obtain the Certificate of Knowledge Competence for Naturalization (C.K.C.N.), if they have successfully attended either 9 school years of primary and secondary education or 6 school years of secondary education. Those who have graduated from a programme, taught in Greek, from a Greek Higher Educational Institution (H.E.I.), or have obtained a degree from a postgraduate programme, taught in Greek, at a Greek H.E.I. or have completed a doctoral thesis in Greek at a Greek H.E.I., are also exempt from the requirement to obtain the C.K.C.N.</p> <p>Finally, according to the provisions of article 11 of the GCC, a child of an alien citizen who acquires Greek citizenship by naturalization, becomes a Greek citizen, without any further formality, if on the date of his or her parent's oath taking, the child is a minor, unmarried, and he/ she resides permanently in Greece.</p> <p>2. Article 1B paras (3) and (4) of the GCC was amended by Article 34 of Law 4915/2022 (Government Gazette of the Hellenic Republic issue number: 63 A'). In terms of prerequisites and requirements, the change relates to the dismissal of an application for the acquisition of Greek citizenship on the grounds of studying at a school in Greece, if confinement in a special prison for young offenders has been ordered, according to articles 54 and 127 of the Criminal Code.</p>
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			<p>Moreover, Article 36 of Law 4915/2022 amended Article 31 of the GCC concerning deadlines and the suspension of the examination of applications, by providing for the suspension of the examination of the application for the acquisition of Greek citizenship by naturalization or on the grounds of studying at a school in Greece, if the applicant is prosecuted pursuant (as opposed to the existence of pending criminal proceedings, according to the previous legal framework) to offences which are punishable by a term of deprivation of liberty which is higher than a year, or to other offences, conviction for which constitutes an impediment to the naturalization process. Accordingly, the process of the examination of applications of applicants who are minors, is suspended, if a prosecution has been brought against them for the commission of offences which are punishable by confinement in a special prison for young offenders according to Articles 54 and 127 of the Criminal Code. Finally, as far as article 7 para (4) of the GCC is concerned, the change refers to the specification (mainly, in terms of duration of Greek schooling) of those exempted from the requirement to obtain the C.K.C.N, in the context of the restructured procedure of naturalization. Also, the change in article 11 of the GCC refers to the addition of the requirement for the child of the naturalized citizen to reside permanently in Greece.</p> <p>3. Article 34 of Law 4915/2022 updated the materially competent authority, i.e. The Regional Citizenship Directorate, to issue decisions on the acquisition of Greek citizenship according to the aforesaid provisions of articles 1B paras (1) and (2) of the GCC, following the amendment of the organizational structure of the General Secretariat for Citizenship with article 38 of Law 4674/2020 (Government Gazette of the Hellenic Republic issue number: 53 A') and article 14 of Law 4735/2020, thus, addressing the provision of correct information to individuals and other relevant stakeholders. In addition, the time to issue a decision on the acquisition of Greek citizenship on the grounds of graduating from a department or faculty of a Greek Higher Education Institution or Technical Education Institution, according to article 1B para (2), was reduced (from 1 year to 6 months). Furthermore, according to article 15 of Law 4735/2020, new Regional Citizenship Directorates are set up, among which the Regional Citizenship Directorate of Attiki and the Regional Citizenship Directorate of Central Macedonia B' are the competent authorities for handling issues exclusively related to articles 1A and 1B of the GCC. This institutional restructuring aims at relieving pressure on the competent <i>ratione temporis</i> Regional Citizenship Directorates from the volume of applications according to the specific provisions and thus in terms of time-</p>
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			reducing the assessment procedure.
	EMN NCP Hungary	Yes	<ol style="list-style-type: none"> 1. No 2. N/A 3. N/A
	EMN NCP Ireland	Yes	<ol style="list-style-type: none"> 1. Yes. Part 2 of the Courts and Civil Law (Miscellaneous Provisions) Act 2023 amends the Irish Nationality and Citizenship Act 1956: <ul style="list-style-type: none"> – to clarify the procedure for citizenship ceremonies and to allow the Minister to dispense with the requirement to attend a ceremony and require the declaration to be taken in a different manner as specified by the Minister. This can be applied where it is considered appropriate in order to ensure that applications are dealt with efficiently. – Following the 2004 Citizenship Referendum (27th Amendment of the Constitution of Ireland), although subject to some exceptions, children born in Ireland generally have an automatic right to Irish citizenship only if one of their parents is an Irish citizen or is entitled to Irish citizenship. This meant that children born in Ireland to non-Irish parents were obliged to accumulate five years of residency in Ireland before an application for naturalisation could be made on their behalf. However, this statutory requirement was reduced to three years as of 31 July 2023 with the commencement of the Courts and Civil Law (Miscellaneous Provisions) Act 2023. The three-year residency requirement is now broken down as follows: the applicant must have had a period of one year's continuous residence in the State immediately before the date of the application, and in the eight years prior must have had a total residence in the State of two years. <p>Moreover, applications for naturalisation on behalf of a minor previously assessed the residency permissions and good character of the parents. This has now been changed to assess only the residency and good character of the minor applicant themselves. In practical terms, good character is assessed only from the age of 10 upwards. For</p>


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			<p>those aged 10 to 13, only serious crimes are taken into consideration. For applicants aged 14 onwards, the regular adult applicant character assessment is employed. On foot of this Act, naturalisation application forms were updated to remove questions no longer deemed operationally relevant and also to take account of the fact that minor applicants are now completely assessed for eligibility in their own right.</p> <ul style="list-style-type: none"> – Amendments are also made to the calculation of continuous residency required for a reckonable period of residency. When calculating the one-year period of continuous residence, an applicant can be outside the state for a period not exceeding (in aggregate) of 70 days. Additional period(s), not exceeding 30 days in aggregate, can be spent outside the State in exceptional circumstances, which include family or personal circumstances, health requirements, employment requirements, voluntary humanitarian work, and other circumstances outside the control of the person. <p>Please find link to the legislation here: https://www.irishstatutebook.ie/eli/2023/act/18/section/8/enacted/en/html In addition, secondary legislation was amended in October 2023 to allow for applications for a certificate of naturalisation to be made online. Whilst amending secondary legislation, the opportunity was also taken to update application forms used for certificates of naturalisation. These changes make the application process more user-friendly and also saw the removal of questions no longer deemed operationally relevant in line with the principle of data minimisation. Link to legislation: https://www.irishstatutebook.ie/eli/2023/si/498/made/en/print</p> <p>2. Yes. See answer to question 1. 3. Yes. See answer to question 1.</p>
	EMN NCP Latvia	Yes	<p>1. No. 2. No.</p>


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			3. N/a
	EMN NCP Lithuania	Yes	<p>1. YES.</p> <p>The acquisition of citizenship in Lithuania is regulated by the Law on Citizenship. The Law on Citizenship has been amended 6 times since 2020. Some of these amendments affect the acquisition of citizenship (e.g., by regulating aspects of the acquisition of citizenship through an exception), although none are related to “tempered jus soli”.</p> <p>In 2020, articles 15 and 16 of the Law on Citizenship were amended. Following the amendments, <u>the child of a stateless person legally residing</u> in Lithuania is a citizen of Lithuania, regardless of whether he or she was born on the territory of Lithuania or outside the territory of the Republic of Lithuania <u>if he or she did not acquire the citizenship of another state at birth</u>. Moreover, <u>a child found or residing on the territory of Lithuania, both parents of whom are unknown</u>, is deemed to have been born on the territory of Lithuania and acquires the citizenship of the Republic of Lithuania, <u>unless it becomes apparent that the child has acquired the citizenship of another state</u> or circumstances arise which would lead to the child acquiring citizenship of another state. The primary aim of these amendments was to reduce statelessness.</p> <p>Several changes to the Law on Citizenship in the period under review concerned improving the possibilities for diaspora’s children to acquire or reacquire Lithuanian citizenship. These amendments addressed the problem arising from the fact that, despite the massive emigration and a large diaspora abroad, holding double citizenship is only allowed as an exception under Lithuanian law. Thus, for example, in 2023, the Law on Citizenship was amended to expand the opportunities for the <u>children of Lithuanian citizens living abroad who acquired the citizenship of another state by birth</u>. Such children can now apply for Lithuanian citizenship even after they reach the age of majority.</p> <p>2. YES.</p> <p>Following the amendments of the Law on Citizenship in 2020, which came into effect on January 1, 2021, children who acquire citizenship by naturalization were <u>exempted from the requirement to pass an examination in the state language and the fundamentals of the Constitution</u>, and to have a legitimate source of livelihood. In addition,</p>

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			<p>children and persons declared incapacitated by a court were exempted from the requirement to take an oath to the Republic of Lithuania.</p> <p>3. YES</p> <p>Following amendments to the Law on Citizenship in 2020, which came into effect on January 1, 2021:</p> <ul style="list-style-type: none"> • applications for the acquisition, reacquisition, or retention of citizenship could be submitted <u>to the Migration Department online via its Migration Information System (MIGRIS)</u>. This made the application procedure significantly easier. However, persons permanently residing abroad would continue to be able to apply for citizenship of Lithuania in person through diplomatic missions and consular offices of the Republic of Lithuania. • Children who acquire citizenship by naturalization were <u>exempted from the requirement to pass an examination in the state language and the fundamentals of the Constitution</u> of the Republic of Lithuania, and to have a legitimate source of livelihood. In addition, children and persons declared incapacitated by a court were exempted from the requirement to take an oath to the Republic of Lithuania. • <u>the time limit within which persons must renounce citizenship of another state</u> upon becoming a citizen of Lithuania - 1 year from the date of swearing an oath to the Republic of Lithuania, or, in cases where no oath is required (e.g., for children under the age of 18), 1 year from the date of entry into force of the Presidential Decree on the granting or return of citizenship of the Republic of Lithuania. This 1-year period may be extended only in special cases and for a maximum of 1 year.
	EMN NCP Luxembourg	Yes	<p>1. YES.</p> <p>Under the framework of the recovery of Luxembourgish nationality, the Nationality Law establishes that a candidate (a direct linedescendant of a Luxembourg ancestor) for the recovery of Luxembourgish nationality must “subscribe to the declaration of recovery of Luxembourg nationality before the registrar until 31 December 2020”. A declaration received after this date would be deemed inadmissible.</p>


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			<p>However, given the mobility problems generated by the Covid-19 pandemic which restricted the entry into the territory of recovery applicants who are mostly non-residents, the Luxembourg authorities decided to extend the time limit for subscribing to the declaration of recovery before the registrar until 31 December 2021 by Article 14 of the Law of 20 June 2020 amending Article 89 (1) 2 of the amended Law of 8 March 2017. For the large majority of cases, this change affects persons that are not legally residing in Luxembourg, but that reside abroad. The Law of 30 July 2021 amending the Nationality Law extends once again the time limit to apply for recovery of Luxembourgish nationality until 31 December 2022 in the context of mobility problems generated by the Covid-19 pandemic, by amending Article 89 (1) 2 of the amended Law of 8 March 2017.</p> <p>The Law of 23 August 2023 on intercultural living together and amending the amended law of 8 March 2017 on Luxembourg nationality which will come into force on 1 January 2024 provides for three adaptations to the option procedure, referred to in article 29 of the amended law of 8 March 2017 on Luxembourg nationality.</p> <ol style="list-style-type: none"> 1. Extension of the scope of the option procedure : The option procedure, which is currently open to applicants who have fulfilled the commitments resulting from the welcome and integration contract, will also be open to applicants who have completed the modules of the introduction to life in the Grand Duchy of Luxembourg, organized as part of the citizen's pact for intercultural living together. It should be noted that applicants who have completed the introduction to life in the Grand Duchy of Luxembourg modules will have to meet the same residence, language and "Vivre ensemble au Grand-Duché de Luxembourg" conditions as applicants who have fulfilled the commitments resulting from the welcoming and integration contract. 2. Extension of equivalence for the "Vivre ensemble au Grand-Duché de Luxembourg" course : The aforementioned law of 23 August 2023 extends the equivalences for the module on the history of the Grand Duchy of Luxembourg and European integration, organized as part of the "Vivre ensemble au Grand-Duché de Luxembourg" course. More specifically, people who have taken part in the module of at least six hours providing an overview of the Grand Duchy of Luxembourg, provided for in Article 5, paragraph 3, point 2° of the Law of 23 August 2023 on intercultural living together, will not need to take part in the aforementioned module on the history of the Grand Duchy of Luxembourg and European integration.
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			<p>3. Certification of completion of the introductory modules to life in the Grand Duchy of Luxembourg as part of the citizen pact for intercultural living together: Candidates for the option must submit to the civil registrar the certificate attesting to the fulfilment of the commitments resulting from the introduction to life in the Grand Duchy of Luxembourg modules organized as part of the citizen pact for intercultural living together.</p> <p>2. Yes, for the applicants who have completed the modules of the introduction to life in the Grand Duchy of Luxembourg, organized as part of the citizen's pact for intercultural living together See answer to Q1.</p> <p>3. Yes, for the applicants who have completed the modules of the introduction to life in the Grand Duchy of Luxembourg, organized as part of the citizen's pact for intercultural living together See answer to Q1.</p>
	<p>EMN NCP Netherla nds</p>	<p>Yes</p>	<p>1. YES.</p> <p>In June and November 2021, policy was amended for the RANOV permit holders who had not been naturalised as a Dutch citizen yet. RANOV permit holders who wish to naturalise are exempted from the document requirement (i.e. from submitting a valid foreign passport and birth (registration) certificate). Furthermore, RANOV permit holders are no longer obliged to renounce their original nationality. RANOV permit holders are foreign nationals who fell under the 2007 general amnesty (the Regulation on Settlement of the Legacy of the Old Aliens Act, RANOV) and therefore received a legal residence permit. It concerned 28.000 migrants who had submitted an asylum application before 1 April 2001 and had stayed in the Netherlands without a residence permit for several years before the general amnesty. The objective of this change is to overcome the biggest challenge (the document requirement) of RANOV permit holders in the naturalisation procedure. Since RANOV permit holders are former asylum seekers, they do not always possess identity documents. Migrants with an asylum residence permit were already exempted from the requirement to submit identity documents. Several studies highlighted the challenge of the document requirement for this particular group (e.g. in 2014 by the Dutch Council for Refugees, in 2015 by the Immigration and Naturalisation Service and in 2021 by the Research and Documentation Centre of the Ministry of Justice and Security - WODC).</p>


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			<p>Since 1 June 2021, a RANOV permit holder who obtained a RANOV permit as a minor together with the parent(s) or independently, and is now of legal age, is exempted in the option and naturalisation procedure from submitting a valid foreign passport (or otherwise proof of the current possession of a foreign nationality) and submitting a (foreign) birth certificate. There is also no longer an obligation, if applicable, to renounce one's original nationality. The other conditions for naturalisation or option remained unchanged, including that if the Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst – IND) has reasonable doubt about the applicant's stated personal details and/or nationality, the naturalisation request will be rejected.</p> <p>On 31 October 2022, the Minister for Migration decided to reconsider this ground for rejection for the situation where the reasonable doubt has arisen due to the actions of the parent(s) of the applicant, who is often a minor at the time of granting the permit. When this is the case, those involved are often unable to resolve this doubt independently. Not being able to obtain Dutch citizenship under these circumstances, with in some situations also consequences for the (possible future) children of those involved, is considered disproportionate. In response to this, the Minister for Migration has decided that, when specifically these circumstances are at play, doubts about identity and/or nationality will not be objected to in the option and naturalisation procedure. This also the case when the person in question holds a type of permit other than a RANOV permit.</p> <p>In 2022, there were no far-reaching changes in the policy for obtaining Dutch nationality. However, in 2022 a new act was passed by the House of Representatives for a procedure to determine statelessness. This Act resulted from a report published by what was then the Advisory Committee on Migration Affairs (now: Advisory Council on Migration) in 2013. The origin of this act goes back a long way. An earlier version of the bill was already presented to the Council of State for a recommendation in 2018.</p> <p>On 31 May 2022, the new act on the determination of statelessness was passed. This act introduces a new procedure to establish the statelessness of a person by a judge. From the report of the Advisory Council on Migration it became clear that the Netherlands did not have an adequate procedure to determine statelessness. Therefore, the new act aims to establish clear procedures for statelessness that comply with international regulations. In addition, one institution can be made responsible for implementation of the policy. Furthermore, the</p>
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			<p>new act gives the option to look at individual cases. This gives third-country nationals the option to have their statelessness determined via a judicial determination procedure. The bill has become effective on 1 October 2023.</p> <p>On 22 February 2023, the Minister for Migration changed its policy regarding naturalisation as a result of two rulings by the Administrative Jurisdiction of the Council of State for the Netherlands (Afdeling bestuursrechtspraak van de Raad van State – AbRvS). In the Netherlands, a minimum stay of five years is a condition for naturalisation. Before, when an applicant for naturalisation had changed its identity or nationality during these five years, the time period of five years started again (as the applicant was not staying in the country based on the right personal data). Now, the conditional time period does not reset when the applicant changes its personal data in the Municipal Personal Records Database (Basisregistratie Personen, BRP). The Minister for Migration changed its policy accordingly in the Guidelines Dutch nationality law 2003 (Handleiding Rijkswet op het Nederlandschap 2003, HRWN).</p> <p>On 6 June 2023, the Senate (Eerste Kamer der Staten Generaal) passed an amendment of the Netherlands Nationality Act (Rijkswet op het Nederlandschap, RWN) and Passport Act (Paspoortwet), which allows irregularly staying minors, born stateless in the Netherlands to obtain Dutch citizenship via the so-called option procedure ('Optie' procedure) after 5 years of stable residence with the understanding that reasonably no other nationality can be obtained. The amendment applies to minors who are younger than 21 years, who are born stateless in the Kingdom of the Netherlands and who do not have lawful residence. This amendment was passed together with the abovementioned introduction of the new Statelessness Determination Procedure Act.</p> <p>2. Yes, see Q1.</p> <p>3. Yes, see Q1. For the general requirements for naturalisation, also for children, see: https://ind.nl/en/dutch-citizenship/becoming-a-dutch-national-through-naturalisation#requirements-naturalisation-of-children.</p>
	EMN NCP	Yes	1. YES - the change was procedural in nature, streamlining the proceedings. As of 10 November 2022, the Act of 7


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	Poland	<p>October 2022 on Amending certain acts to simplify administrative procedures for citizens and entrepreneurs (Journal of Laws of 2022, item 2185) entered into force, which, by the provision of Article 29, changed the wording of the provision of Article 9 of the Act of 2 April 2009 on Polish citizenship. The provision of Article 9 was amended to read :</p> <p>"Art. 9. The statements referred to in the Act, in matters related to the acquisition or loss of Polish citizenship, shall be made:</p> <ol style="list-style-type: none"> 1) in person for a protocol before: <ol style="list-style-type: none"> a) a voivode competent for the place of residence - from a Polish citizen residing in the territory of the Republic of Poland and from a foreigner residing legally in the territory of the Republic of Poland, excluding their stay on the basis of a visa or in visa-free traffic, b) a consul - from a person residing abroad; 2) by correspondence with an officially certified signature." <p>Until the amendment of the provision in question, such statements could only be submitted in person before a consul of the Republic of Poland or an authorised employee of a voivodeship office.</p> <p>2. NO</p> <p>3. YES - this amendment has simplified the procedure. It should be pointed out that in accordance with art. 7 sec. 1 of the Act of 2 April 2009 on Polish citizenship: granting of Polish citizenship to parents, their recognition as Polish citizens and their consent to renounce Polish citizenship covers a minor remaining under their parental authority. In turn, sec. 2 of the said provision stipulates that: granting of Polish citizenship to one parent, recognizing him/her as a Polish citizen and granting of a consent to renounce Polish citizenship covers a minor remaining under his/her parental authority in the case where:</p> <ol style="list-style-type: none"> 1) the other parent does not have parental authority; 2) the other parent has submitted a statement on granting a consent to the minor acquiring or losing Polish
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			<p>citizenship.</p> <p>This means directly that if the foreigner's application for acquiring Polish citizenship involved a minor child, the other parent had to consent to the child acquiring Polish citizenship. Until the Act was amended, such consent - in the form of a statement - could only be given in person (for the record) before a consul of the Republic of Poland or an authorised employee of a voivodeship office. The legislator, introducing in the Act of 2009 on Polish citizenship the qualified form of making declarations in cases concerning the acquisition or loss of Polish citizenship, aimed at unequivocal confirmation of the will of a given person concerning the acquisition or loss of Polish citizenship by their minor children.</p> <p>However, during the outbreak of the COVID-19 pandemic, various restrictions were introduced on movement and contact with other persons and this included personal attendance at various offices. In addition, requirements for quarantine after crossing the border were also introduced, which is important in cases where the consular post covers several countries. There were situations where both provincial and consular offices did not receive clients or significantly limited the possibility to appear in person (very long waiting periods for an appointment). As a result, such persons did not have the opportunity to make the obligatory statement in the protocol, and the condition of the acquisition or loss of Polish citizenship by the applicant's minor child was an impossible condition to fulfil and not caused by the applicant.</p> <p>With this in mind, the legislator has introduced the possibility of making such a declaration also by correspondence with an officially certified signature, which has significantly streamlined the proceedings.</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. YES. In 2020, the law has changed again, which established that individuals whose parent have a residence permit or who have been living in Portugal for at least one year, are entitled to the Portuguese citizenship.</p> <p>2. YES. The attribution of Portuguese nationality may depend on the person's place of birth, how many years he/she has lived in Portugal, the nationality of his/her family members or spouse, the relationship with the Portuguese community, among other factors.</p>




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			3. The Portuguese parliament has approved on 23rd July the amendments to the Law of Nationality - Law 37/81 of 3rd October. These amendments simplify the process for obtaining Portuguese nationality by children of holders of residency permits, grandchildren and for spouses of Portuguese citizens. New regulation provides easier access to citizenship for children (born in Portugal) of migrants who have held a residence permit and lived in Portugal for a year.
	EMN NCP Serbia	Yes	<ol style="list-style-type: none"> 1. NO 2. N/P 3. N/P
	EMN NCP Slovakia	Yes	<ol style="list-style-type: none"> 1. Yes. There was a change in legislation effective as of 1 April 2022. The Amendment to the Act on citizenship modified the scope of persons who do not have to prove knowledge of the Slovak language in speaking and writing and general knowledge of the Slovak Republic as a condition for granting Slovak citizenship (e.g. persons older than 65 years or younger than 14 years, citizens of the Czech Republic, etc.) The scope of applicants who can be granted Slovak citizenship without fulfilling the condition of length of residence in the territory of the Slovak Republic immediately before submitting the application for citizenship and who are allowed to reside in the territory of the Slovak Republic has expanded – e.g. persons who were not citizens but had ancestors of Slovaks, persons with the status of a Slovak living abroad who significantly contributed to the community, those who lost their citizenship between 17 July 2010 and 31 March 2022, provided that they resided in the state of their new citizenship for at least five years. The Amendment also stipulated that language verification should correspond not only to health status, but also to education and age. 2. Yes, see response to question 1. 3. See response to question 1.


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	EMN NCP Slovenia	Yes	<p>1. YES. In 2020, the Regulation was changed, which more precisely defines the fulfillment of the conditions for naturalization.</p> <p>2. YES. The criteria for meeting the conditions for guaranteed means of subsistence have changed.</p> <p>3. NO.</p>
	EMN NCP Spain	Yes	<p>1. No</p> <p>2.</p> <p>3.</p>
	EMN NCP Sweden	Yes	<p>1. Yes. There has been a smaller change in section 6 and 8 in the Swedish Citizenship Act (2001:82) regarding acquisition of Swedish citizenship upon notification for stateless children and young adults born in Sweden. The changes were implemented in 2021.</p> <p>Before 2021 a child or a young adult was required to have a permanent residence permit in Sweden in order to qualify for becoming a Swedish citizen upon notification. Since 2021 the requirement of a permanent residence permit does no longer apply, if the child or the young adult holds as a temporary residence permit according to chapter 5 section 1, 3, 3 a, 6 or chapter 12 section 18 in the Swedish Aliens Act (2005:716) and habitual residence in Sweden since 5 years or for a total of 10 years.</p> <p>2. Yes, see answer above.</p> <p>3. Minor changes in the process has been made in order to accommodate the changes described above.</p>

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	<p>EMN NCP Ukraine</p>	<p>Yes</p>	<p>1. Yes.</p> <p>During the period from 2021 to 2023, amendments were made to the Law of Ukraine "On the Citizenship of Ukraine," focusing on simplifying the regulations for foreigners and stateless persons acquiring Ukrainian citizenship through their participation in the defense territorial integrity and inviolability of Ukraine.</p> <p>2. Persons who acquired the citizenship of Ukraine and are obliged to terminate foreign citizenship the possibility to submit a declaration on the refusal of the foreign citizenship is excluded if the price of foreign citizenship (nationality) termination drawing up exceeds half of the minimum wage level established by the Law of Ukraine as of the date the person acquires the citizenship of Ukraine.</p> <p>3. The powers of the State Migration Service have been expanded, specifically in particular the powers were granted exclusively for the purposes of information confirmation and/or documents related to the proceeding on applications and submissions regarding the citizenship of Ukraine and judgments execution, to receive the information at no additional charge as required by law from the automated information systems, registers, and databases, by the owner, disposer, holder and/or administrator of which are the central and local executive authorities, other state authorities, self-government bodies, enterprises, establishments and organizations belonging to the state bodies administration, to the extent of information on the person and/or documents related to the proceeding on applications and submissions regarding the citizenship of Ukraine and also to submit the requests to the relevant authorities of other states, international organizations.</p>
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