

Documentation of Eurostat's database on international migration: Acquisition of Citizenship

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Table of Contents

1. Introduction	4
2. Uses of the Data	5
3. Description of the Dataset	5
4. Data Checking	5
5. Compilation of Documentation	5
6. Documentation on Acquisition of Citizenship by Reporting Country..	6
6.1 Austria	6
6.2 Belgium	7
6.3 Denmark	8
6.4 Finland	10
6.5 France	11
6.6 Germany	12
6.7 Greece	14
6.8 Ireland	15
6.9 Italy	15
6.10 Luxembourg	17
6.11 Netherlands	18
6.12 Norway	20
6.13 Portugal	22
6.14 Spain	22
6.15 Sweden	23
6.16 Switzerland	24
6.17 United Kingdom	26
7. Access to Eurostat data on international migration	28
8. Relevant Publications	35

DOCUMENTATION OF EUROSTAT'S DATABASE ON INTERNATIONAL MIGRATION: ACQUISITION OF CITIZENSHIP

1. Introduction

This working paper is one of a series which describes the contents, updating and documentation of the Eurostat database on international migration. The data described here are available on request from Eurostat. (see part 8 for further details about how and from where to request these data together with any or all of the relevant Eurostat publications).

The series of working papers has been produced to help users and providers of the revised database as it becomes available in its entirety on New Cronos, the on-line user interface to the database. Each individual paper describes the contents of one part of the database. This one provides an overview and detailed description of the data on acquisition of citizenship. The text is the documentation provided by the NIDI to accompany the revised dataset on acquisition of citizenship.

The series of research projects from which these texts were produced were carried out jointly by the Migration Research Unit, University College London and the Netherlands Interdisciplinary Demographic Institute (NIDI).

2. Uses of the Data

The data are available for EU and EFTA member countries. Not all countries were able to provide such information.

The data come from a variety of national sources. Some come from national registers, others from the census or the Labour Force Survey. The reference year also differs depending on the availability.

3. Description of the Dataset

The dataset for the acquisition of citizenship in the European Union and the EFTA contains tables for each of the 15 EU Member States and the 4 EFTA States for which data were available at Eurostat when this project took place: Belgium, Denmark, Finland, France, Ireland, Luxembourg, the Netherlands, Portugal, Spain, the United Kingdom, Norway and Switzerland.

The joint questionnaire of the United Nations Statistical Division, Eurostat and the United Nations Commission for Europe requests annual data on acquisition of citizenship. The relevant part of the questionnaire for this project concerns the main characteristics of the population, divided into country of birth, age and sex.

4. Data Checking

The data were checked using “hard criteria” consistency checks, for internal consistency and “soft criteria“ consistency checks using the expertise and knowledge of the research teams. Comparisons were also made with data published by the individual reporting countries and those collected by the OECD.

Further detail on the process of data checking may, if required, be obtained from the Migration Team at Eurostat.

5. Compilation of Documentation

The structure of the documentation is common to that of the other parts of the Eurostat database on international migration. It describes, on a country by country basis: the availability of data on acquisition of citizenship; the sources and definitions used in each reporting country; information (where available and relevant) on legislation; methodologies of data collection and processing. This documentation will be translated in French, German and English for users of New Cronos.

6. Documentation on Acquisition of Citizenship by Reporting Country

6.1 Austria (AT)

Sources

- **Source:** Naturalisation statistics (Einbürgerungsstatistik), based on decisions taken by the Government Offices (of the 'Länder').
- **Disseminating/Processing Authority:** Austrian Central Statistical Office
- **Competent Authority:** Federal Ministry of Interior
- **Appeals Authority:** Administrative Court/ Constitutional Court

Legislation

- The Austrian Citizenship Law (Staatsbürgerschaftsgesetz) 1965, and Art. II StbG Novelle 1983 were replaced by the Austrian Citizenship Law, StbG 1985, and Art. I StbÜR 1985.
- 1993 Amendment to paragraph 58c of the Nationality Law, concerning the re-acquisition of Austrian nationality for refugees, 31 July 1993.

Principles

- Jus sanguinis, with the principle of equality of men and women. Austrian nationality may be acquired from either parent, from an unmarried mother, or by legitimation if the father is Austrian.
- Dual nationality allowed but usually naturalisations are connected with renunciation of former citizenship.
- Personal independence of spouses for acquisition of Austrian nationality by marriage. Changes in legislation in 1983 introduced stricter conditions for naturalisation by marriage (introduction of a waiting period to avoid marriages of convenience).
- The 1993 Amendment to the Nationality Law extends the right of Austrian nationality to those who left Austria before 9 May 1945 because of oppression from the Nazi regime, and who held Austrian nationality.

Procedures

- Austrian citizenship is automatically acquired by birth, by legitimation, or by entering upon service in higher education of a foreign professor.

- Austrian citizenship may be acquired by naturalisation, as a rule after 10 years of continuous residence (4 years for refugees).
- Children born after August 1983, of Austrian mothers and foreign fathers, automatically receive Austrian citizenship, as well as their father's citizenship according to the respective foreign law (their numbers are not included in the naturalisation statistics). A provisional regulation allowed under-aged children of mixed origin born before 1 September 1983 to apply for naturalisation until 31 December 1988 (their numbers are found in the naturalisation figures up to 1991).
(Source: Peter Findl, *Entwicklung der Einbürgerungen 1981 bis 1991*, in: *Statistische Nachrichten 47, Jahrgang 1992 (neue Folge) Heft 10*, pp. 764-771)

Information on the Data by Year

- Children of Austrian mothers and foreign fathers born in Austria before September 1983 are found in the naturalisation figures up to 1991. Between September 1983 and December 1991 the number was 16,000, with the highest figures in 1984 (3,200) and 1986 (3,400).
- Children of Austrian mothers and foreign fathers born after August 1983 are not included in the naturalisation statistics.

6.2 Belgium (BE)

Sources

- **Source:** The National Register
- **Disseminating/Processing Authority:** Institut National de Statistique
- **Competent Authority:** House of the Legislature (House of Representatives and Senate of the Parliament)
- **Appeals Authority:** The Royal Attorney/ Appeals Court

Legislation

- Code of Belgian Nationality, 28 June 1984. Modified by the Law of 13 June 1991, effective 1 January 1992.
- Constitution (Articles 81, 64, 69, 74, 97, 104, 191) and the Belgian Citizenship Code established by the Law of 28 June 1984, most recently amended by the Law of 6 August 1993.

Principles

- A combination of *jus soli* and *jus sanguinis*

- Dual nationality allowed

Procedures

- There are two types of naturalisation: ordinary and grand. The first requires a minimum age of 18, the second requires a minimum age of 25. A five years' residence requirement applies for naturalisation (3 years for refugees and stateless persons). At least three years of marriage is required before the foreign spouse of a Belgian may acquire Belgian nationality. Belgian citizenship by naturalisation is granted by royal decree.
- The reformation of the Code of Nationality facilitated access to Belgian citizenship for foreigners of the second generation (virtually automatic) and third generation (automatic).
It introduced the possibility of obtaining the Belgian nationality by simple declaration, not requiring the approval of the court.
- Children born in Belgium are automatically of Belgian nationality if one of the parents was born in Belgium and resided in Belgium for 5 out of the 10 years preceding the birth of the child (*OECD (1995), SOPEMI 1994*).
Children born in Belgium of foreign-born parents can become citizens by parent's choice before the age of 12 or by their own choice from age 18-29. In this case the minimum period of residence is 10 years.

Information on the Data by Year

- AME_N_OTH: these are figures for the USA and Canada
- AME_OTH: these are figures for Latin America
- OTHER: these are refugees acquiring Belgian citizenship. For 1989 this figure also includes all other non-EC naturalisations.
- 1985 - The high number is due to naturalisations (attributions de nationalité) of 67,396 persons born in Belgium from a Belgian mother and foreign father, as a result of the coming into force of the Code of Belgian Nationality, 28 June 1984.
- 1992 - The rise in naturalisations is attributed to the new Code of Belgian Nationality, effective 1 January 1992, which facilitates the naturalisation of second and third generation immigrant children (*SOPEMI, 1992*).

6.3 Denmark (DK)

Sources

- **Source:** Central Population Register (CPR)

- **Disseminating/Processing Authority:** The Secretariat for Personal Registration at the Ministry of the Interior, and Danmarks Statistik
- **Competent Authority:** Ministry of Interior
- **Appeals Authority:** None

Legislation

- Nationality Law 252 of 27 May 1950, modified by the Law 457 of 17 June 1991 on the acquisition of Danish citizenship.

Principles

- Jus sanguinis
- Equality of the sexes
- Renunciation of previous nationality

Procedures

- Danish citizenship is acquired by birth, by adoption (under condition that the child is under 7 years old and that both parents are Danish citizens) and by naturalisation in accordance with the Constitution, normally after seven years' residence. The minimum period of residence for Nordic nationals is 2 years, for refugees 6 years.
- Danish citizenship is not automatically acquired by marriage, spouses of a Danish national may acquire citizenship after 4 years' residence.
- Requirements for naturalisation include a clean criminal record, knowledge of the Danish language and no outstanding debts. Naturalisation in Denmark is granted in the form of a law (*OECD (1995), SOPEMI 1994*).

Information on the Data by Year

- BE: for 1980-1984, the figures include not only Belgium, but also Luxembourg.
- OTHER: for 1980-1981 and 1992-1994, the figures comprise Stateless, Unknown and Not Stated.
- 1991 –The general increase in the number of persons naturalised is equated to the naturalisation requirements for refugees. Refugees can only be naturalised after 6 years of residence, and it was at this time (and subsequent years) that 6-8 years had passed after the first big inflow of refugees in the early 1980s (*SOPEMI, 1994*).

6.4 Finland (FI)

Sources

- **Disseminating/Processing Authority:** Statistics Finland
- **Competent Authority:** The Centre for Aliens' Affairs of the Ministry of the Interior
- **Appeals Authority:** The Council of State

Legislation

- The Naturalisation Act: Constitution (94/19: Articles 4 and 31) 1919
- Law 401/68 on Citizenship, 28 June 1968, as amended by Law 584/84, 10 October 1984
- Decree 699/85 on citizenship, 1985
- The New Aliens Act, March 1991

Principles

- Jus sanguinis takes precedence over jus soli
- Renunciation of previous nationality

Procedures

- Finnish citizenship may be acquired by marriage, by declaration or on application after five years residence. An alien can become a citizen when he/she is 18+ years old, has lived in Finland at least five years and is still living in Finland, provided he/she has knowledge of the Finnish language, has obeyed the law and his/her economic welfare is secured. The minimum period of residence for Nordic nationals is two years and for spouses of a Finnish national 3 years (the marriage must still be in existence).
- In special cases the applicant can be naturalised, although the preconditions of the law are not met. Finnish citizenship may be accorded to an alien on application, as a rule on condition that the alien nationality is renounced within a stated time limit.
- If a person has held Finnish citizenship or has at least one parent who is or has been a Finnish citizen, he/she has automatically the returning migrant status according to the Aliens' Act of 1991.

Information on the Data by Year

- The number of naturalisations during the late 1980s was quite high, accounted for Finns returning from Sweden and naturalisations of immigrants from Eastern and Central Europe (mainly Ingrians from the former Soviet Union) (*SOPEMI 1995*). The 1991 Aliens Law allows automatic returning migrant status.
- September 1992 - a new practice was introduced which obliged ethnic Finns to prove their Ingrian identity whilst abroad before being granted their first residence permit.

6.5 France (FR)

Sources

- **Source:** Census (Institut National de la Statistique et des Études Économiques, INSEE)
- **Disseminating/Processing Authority:** The Direction of Population and Migration (Ministry of Social Affairs and Integration)
- **Competent Authority:** Ministry of Social Affairs and Integration
- **Appeals Authority:** Administrative court

Legislation

- Code Civil 1804
- French Nationality Code, 19 October 1945, modified by the Act of 9 January 1973
- Civil Code (Articles 1733.2) and Decree 1362 of 30 December 1993
The Nationality Act, 22 July 1993 (in force 1 January 1994)

Principles

- Until the Nationality Act of 1993 the principle of *jus soli* applied - children born in France to parents who were not French citizens, would automatically attain French citizenship at 18.
- The Nationality Act of 1993 removed the automatic *jus soli*. Today there is a combined application of *jus sanguinis* and *jus soli*.
- No distinction between the sexes in application of the laws on nationality.
- Dual nationality is allowed.

Procedures

- The Nationality Act, 22 July 1993 (in force 1 January 1994) gives automatic French nationality to a child of a French father and foreign mother, even if the child is born abroad.
- French citizenship may be acquired by declaration in the case of birth on French territory, or marriage to a French national, or by official decision under stated conditions, including: aged 18+, a minimum of five years' residence, assimilation into the French community, knowledge of the French language, and no criminal record.
- The 1993 Act repealed the Act of 9 January 1973. The main changes concerned acquisition by declaration, and acquisition under jus soli. French nationality can not be acquired without a positive intention by the interested party. Acquisition by marriage requires a waiting period of 2 years (previously 6 months). Instead of automatically acquiring nationality on reaching 18, children born in France of foreign parents have to demonstrate their intention of becoming a citizen. The notion of 'born in France' has also changed, as the overseas territories or pre-1960 colonies are no longer taken into account, and children born in France after 31 December 1993 of parents born in those territories are not entitled to French nationality. However, children born in Algeria with at least one parent born in Algeria before 3 July 1962 remain French citizens from birth provided that their father or mother can prove that they have resided continually in France for five years.
- With the coming into force of the Nationality Act on 1 January 1994, automatic acquisition of citizenship (on reaching legal majority) by young people born in France, both of whose parents were foreigners, are not included in the naturalisation statistics.

Information on the Data by Year

- Many of the younger members of naturalised families do not figure in the data because they are French from birth, since they were born to French (naturalised) parents.

6.6 Germany (DE)

Sources

- **Disseminating/Processing Authority:** Statistical Offices of the 'Länder', Federal Statistics Office (Statistisches Bundesamt)
- **Competent Authority:** Federal Ministry of the Interior
- **Appeals Authority:** Administrative Court

Legislation

- Law on German Citizenship of 22 July 1913, modified by the Aliens Act of 9 July 1990, effective 1 January 1991 (Articles 85 and 86).

Principles

- Jus sanguinis
- Dual nationality allowed

Procedures

- Since the nineteenth century, German citizenship has been acquired by descent, and therefore aliens can only acquire German citizenship by naturalisation. According to this law, a child acquires German nationality if one of the parents is a German national.

- The Aliens Act of 1991 introduced a number of comprehensive reforms and in particular extended naturalisation to young foreigners who have lived in Germany for a long time and who wish to remain. The application must be submitted between the ages of 16 and 23. They must have at least eight years continuous legal residence, completed a minimum of 6 years of schooling and have no criminal record. The previous nationality must be renounced. This legislation also provides for the first time a statutory option to return to Germany for foreigners aged 15-21 who grew up there, have gone back to their home countries, but have been unable to adjust.

The 1991 Act also introduced a simplified procedure for adults who have legally lived in Germany for more than fifteen years, provided they are integrated into society, have knowledge of the German language and renounce their previous nationality.

These two groups of foreigners got the right to claim citizenship (Anspruchseinbürgerung) and therefore are no longer included in the discretionary naturalisations after 1993.

- Foreigners married to a German national may acquire citizenship after 5 years residence. Adoption by a national also confers citizenship.
- It is possible to retain the former nationality when the German citizenship is acquired by discretionary naturalisation.
- The statistics do not include naturalisation claims of ethnic Germans, based on Article 116.1 of the Constitution (e.g. 'Aussiedler' from the former Soviet Union).

Information on the Data by Year

- AME_OTH: for 1989, 1991 and 1992, the figures include British Dependent Territories in the Americas.

- ASI_OTH: these figures include British Dependent Territories in Asia
- 1980 - Data are not available because up to this year no distinction was being made between discretionary naturalisations and claimed naturalisations.
- The data for 1981-1990 refer only to acquisition of citizenship in the old 'Bundesländer' (FRG).
- Between 1981 and 1990 about 26 per cent of all naturalised foreigners retained their former nationality.
- 1992 - The rise in naturalisations is attributed to the Aliens Act, 1 January 1991, which provides a simplified naturalisation process for immigrant children aged 16-23 (*SOPEMI, 1992*).
- 1994 - The data not only refer to discretionary naturalisations, but also to naturalisations under Articles 85 and 86.1 of the Aliens Act.

6.7 Greece (GR)

Sources

- **Disseminating/Processing Authority:** The National Statistical Service of Greece (Ministry of Public Order)
- **Competent Authority:** Ministry of Interior

Legislation

- Decree-Law 3370 of 30 September 1955, which constitutes the Hellenic Citizenship Code, modified by Law 1438 of 5 May 1984, and by Law 2130/93 Constitution of 1975/1986, Articles 4.13 and 166.1

Principles

- Equality of citizens before the law, and of men and women.
- Combined application of *jus sanguinis* and *jus soli*.
- Dual nationality allowed.

Procedures

- Greek citizenship may be acquired by declaration on fulfilling certain conditions: formal declaration, a minimum of three years continuous residence prior to the request or at least eight years' residence in the ten years preceding the request (five years for a spouse of a Greek national).

- Persons of Greek ethnic origin born in Greece are naturalised on request after two years residence (*OECD (1995), SOPEMI 1994*).

6.8 Ireland (IE)

Sources

- **Disseminating/Processing Authority:** Central Statistics Office
- **Competent Authority:** The Department of Justice
- **Appeals Authority:** None

Legislation

- Irish Nationality and Citizenship Law, 1956, modified by Law 23/86

Principles

- Jus soli
- Dual nationality allowed.

Procedures

- Naturalisation is normally after five years' residence. The required period of residence is 3 years for the spouse of an Irish national, provided the marriage is still lasting. An intent to take up residence in Ireland after naturalisation is required, as is a declaration of allegiance before a judge of the district court (*OECD (1995), SOPEMI 1994*). Most naturalisations are discretionary.

6.9 Italy (IT)

Sources

- **Source:** The Population Registration System
- **Disseminating/Processing Authority:** The National Institute of Statistics
- **Competent Authority:** The Ministry of Interior
- **Appeals Authority:** Regional Administrative Court

Legislation

- For the years preceding 1992, Law 555/12 is applicable for ordinary naturalisations.
- For the years 1983-1991, Law 123/83 is applicable to acquisition of citizenship for foreigners marrying Italian citizens.
- Law 91/92 on Nationality of 5 February 1992, in force 16 August 1992. Article 7 replaced Law 555/12 and Article 5 replaced Law 123/83.
- Decree 572, Article 5, of 12 October 1993.

Principles

- Jus sanguinis, combined with the principle of equality of men and women.
- Dual nationality is permitted.

Procedures

- Italian citizenship may be acquired by descent, by birth on Italian territory, voluntarily by declaration, by marriage (after six months *de jure* residence or after three years marriage provided the marriage is still lasting) or by naturalisation, as a rule after a minimum 10 years *de jure* residence (5 years for stateless persons).
- Law 91/92 raised the period of residence for non-EU persons to become Italian citizens from 5 to 10 years, and reduced it to 4 for EU persons, and to 3 for people of Italian origin.
Law 91/92 also introduced the right to have dual nationality, and abolished the right of a son born of Italian citizens and living abroad to declare his wish to be Italian.
- Children born in Italy who have been legally resident in the country until the age of majority can declare that they wish to become Italian.

Information on the Data by Year

- Total Acqu Citz: these figures are the total numbers of citizenships granted, inclusive of acquisition of citizenship by marriage.
- IT: for 1993, 1 Italian is recorded as acquiring Italian citizenship.
- 1992 - Law 91/92 of 5 February 1992 introduced new regulations governing the acquisition of citizenship. Therefore, the statistics required are calculated by adding those persons acquiring citizenship under the previous Law 555/12 and the new Law 91/92 Article 7 (ordinary naturalisations).

- 1993-1995 - Due to the new regulations, those acquiring citizenship by naturalisation or by marriage to a national, are included in the same figure and cannot be disaggregated.

6.10 Luxembourg (LU)

Sources

- **Disseminating/Processing Authority:** Service Central de la Statistique et des Études Économiques (Statec)
- **Competent Authority:** Chamber of Deputies
- **Appeals Authority:** None

Legislation

- Constitution (Articles 9 and 10)
- Law on Luxembourg Citizenship of 22 February 1968, most recently amended on 11 December 1986.

Principles

- Jus sanguinis applies, jus soli only applying incidentally
- Principle of equal treatment of men and women.
- Previous citizenship must be renounced if Luxembourg nationality is acquired.

Procedures

- In Luxembourg naturalisation is granted in the form of a law on the advice of the communal council in the place of residence and of the Council of State (*OECD (1995), SOPEMI 1994*).
- The main change introduced by the 1986 Amendment was to assign equal status to the father and mother as regards the transmission of nationality to their children. Children born of a Luxembourg mother and a foreign father now automatically have Luxembourg nationality, whereas previously they were considered as foreigners. The provisions applied retroactively, so that on 1 January 1987 some 3,330 under-aged ‘foreign children’ became Luxembourg citizens.
The residence and age requirements for naturalisation were also relaxed, an application for naturalisation can now be made at age 18, instead of 25. The minimum period of residence is 10 years, of which the last 5 years must be continuous. Other requirements: integrated into society, knowledge of the

Luxembourg language, no criminal record. The minimum period of residence for spouses of a Luxembourg national, refugees and stateless persons is 5 years.

Information on the Data by Year

- 1980-1992 - Minor children acquiring nationality of Luxembourg as a consequence of the naturalisation of their parents are only included in the total number of naturalisations, not in the geographical breakdown.

6.11 Netherlands (NL)

Sources

- **Source:** Ministry of Justice: official notifications, royal decrees.
- **Disseminating/Processing Authority:** The Netherlands Central Bureau of Statistics (CBS)
- **Competent Authority:** The Ministry of Justice
- **Appeals Authority:** Appeal Council (Arondissements Rechtbank), State Council (Raad van State)

Legislation

- Law on Dutch Nationality and Citizenship of 12 December 1892, amended 8 September 1976.
- Law on Dutch Nationality of 19 December 1984, effective from 1 January 1985, Article 6 and Transitional Regulation Article 27 on acquisition of citizenship by option, Article 8 and 11 on naturalisation.
- Circular of the Minister of Justice, 20 December 1991
- Amendment to the Law on Dutch Nationality. Kamerstukken II, 1992-1993, 23 039, n.1-3.

Principles

- Jus sanguinis, plus jus soli for the third generation.
- Equal treatment of men and women.
- Renunciation of previous nationality, dual nationality allowed since 1992.

Procedures

- Acquisition of citizenship other than by birth: by naturalisation, by option and by adoption.
- Non-nationals can apply for naturalisation provided certain conditions are met, including having reached the age of majority, a minimum of five years of residence, integration in Dutch society and knowledge of the Dutch language (Law on Dutch Nationality, Article 8). The minimum period of residence is 3 years for applicants married to a Dutch citizen. As from 1985 Dutch citizenship by naturalisation is granted by royal decree (Law on Dutch Nationality, Article 7). Before 1985 naturalisation was effected either *by law* (explicit will of the legislator) or *according to the law* (granted by the Minister of Justice).
- The Law on Dutch Nationality, Article 6 grants the right of option to:
 - a) Non-nationals born in the Kingdom of the Netherlands who have lived there continuously and are aged 18 to 25.
 - b) Non-nationals being stateless since their birth in the Kingdom of the Netherlands who have lived there at least 3 years and are aged under 25.
- Transitional Regulation Article 27 on naturalisation by option of non-Dutch children born before 1985 of a Dutch mother and a foreign father was applicable between 1985 and 1987. The Transitional Regulation was introduced because the new Law on Dutch Nationality ruled that a new-born child of at least one Dutch parent automatically gets Dutch nationality (Article 3), whereas before 1985 the nationality of the head of the family (mostly the father) had been decisive for the nationality of the child.
- In 1992, the possibilities to obtain Dutch nationality were altered. The Dutch government no longer demanded that non-nationals who wish to obtain Dutch nationality have to give up their original nationality. Prior to this amendment, the Minister of Justice anticipated the amendment and accepted dual nationality under the existing law. In 1996 the Secretary of State of the Ministry of Justice announced in Parliament that this practice of dual nationality will be applied more strictly. The new practice will be implemented in a new circular. At present it is not known when the new procedure will be valid in law.

The amendments to the Law on Dutch Nationality also contain the provision that a person with dual nationality loses Dutch nationality after living outside the Netherlands for a period of ten years continuously.

(Source: CBS, Maandstatistiek van de Bevolking, several years)

Information on the Data by Year

- BM: for 1987-1993, the figures include not only Bermuda, but also Antigua.
- UNKNOWN: for 1980-1986 and 1994, this category is a combination of Unknown and Stateless.

- 1985 - The Law on Dutch Citizenship came into force with significant implications for the acquisition of citizenship figures. The Law extended the possibilities of acquiring Dutch citizenship. The Law introduced a simplified procedure for naturalisation and the Transitional Regulation Article 27. Together this resulted in a high number of 35,000 persons acquiring Dutch citizenship other than by birth.
- After 1987, when Transitional Regulation Article 27 ended, most acquisitions of citizenship are by naturalisation.
- 1989 - The annual number of foreigners who obtained Dutch nationality other than by birth increased from 9,000 in 1988 to 29,000 in 1989. According to the Central Bureau of Statistics this was due to extra efforts of the Ministry of Justice in dealing with the backlog of applications for naturalisation.
- 1991 - The annual number of foreigners who obtained Dutch nationality other than by birth increased from 13,000 in 1990 to 29,000 in 1991. According to the Central Bureau of Statistics this was again due to extra efforts of the Ministry of Justice in dealing with the backlog of applications for naturalisation.
- 1992-1995 - The annual number of non-Dutch nationals who obtained Dutch nationality other than by birth increased each year. This strong rise was mainly due to the possibility since 1992 of retaining the original nationality when obtaining Dutch nationality.

6.12 Norway (NO)

Sources

- **Source:** Population Statistics System: Central Population Register
- **Disseminating/Processing Authority:** Statistics Norway (Statistisk sentralbyrå)
- **Competent Authority:** Directorate of Immigration
- **Appeals Authority:** Ministry of Justice through the Directorate of Immigration

Legislation

- Law 3 on Norwegian Nationality of 8 December 1950.

Principles

- Jus sanguinis
- Dual citizenship is allowed only in special cases, and in this case only the

- Norwegian citizenship is registered.

Procedures

- Norwegian citizenship may be acquired in the following ways:

a) By application to the Directorate of Immigration.

Criteria: being a permanent resident in Norway, over 18 years of age, living in Norway for the past 7 years consecutively, no criminal record, not in arrears in alimony payments.

Some exceptions: Nordic nationals may be granted Norwegian citizenship after 2 years. Non-nationals married to a Norwegian citizen must have been married and/or living in Norway for at least 8 years, with a minimum duration of residence of 2 years, before they can apply for naturalisation.

Minors are included in their parents' application.

b) By notification through the County Governor's Office.

Criteria: being between 18 and 23 years of age and living in Norway for at least 10 years. Or for recovery of Norwegian citizenship: having lived in Norway until the age of 18, and living again in Norway for at least 2 years.

c) By application to the County Governor's Office.

This applies for acquisition of Norwegian citizenship for an adopted child under 12 years of age.

d) By birth.

A child automatically acquires Norwegian citizenship if the mother is Norwegian, if the mother is a foreign national and the father is Norwegian and they are married at the date of birth or before the child reaches the age of 18. In case the parents are not married they can apply for Norwegian citizenship for their child.

Legitimate children born after 1979 of a Norwegian mother and a foreign father automatically get Norwegian citizenship. In this respect a transitional rule applies for children born before 1979. They can submit a notification through the County Governor's Office before they reach the age of 18.

(Source: Utlendingsdirektoratet, Information on Norwegian citizenship, 1992)

Information on the Data by Year

- There have been no important legal changes since 1980. The figures were very stable until 1994.
- 1994-1995 - The increase in the number of persons acquiring Norwegian citizenship is likely to be due to the arrival of a large number of asylum-seekers 7 years earlier, who are now eligible for naturalisation.

6.13 Portugal (PT)

Sources

- **Source:** Census and Labour Force Survey
- **Disseminating/Processing Authority:** Instituto Nacional de Estatística (INE)
- **Competent Authority:** Ministry of Interior

Legislation

- Law 37 on Nationality of 3 October 1981, amended by Law 25 of 19 August 1994, and Decree-Law 253 of 20 October 1994

Principles

- A combination of jus soli and jus sanguinis
- Dual nationality allowed

Procedures

- Portuguese citizenship may be acquired by birth, with a statement of intent in the case of children born abroad, by naturalisation, and by concession. The minimum period of residence for naturalisation is 6 years. The applicant must have knowledge of the Portuguese language, no criminal record and sufficient means of subsistence.
- Citizenship can be acquired by option on marriage to a Portuguese national.

Information on the Data by Year

- 1993 In this year only 2 Zairians are recorded as acquiring Portuguese nationality.

6.14 Spain (ES)

Sources

- **Disseminating/Processing Authority:** Spanish National Statistical Institute
- **Competent Authority:** Ministry of Justice

Legislation

- Constitution of 1978 (Article 11)

- Civil Code Title 1 (Articles 17-26), modified by Law 18 of 17 December 1990, Law 15 of 23 December 1993

Principles

- A combination of *jus sanguinis* and *jus soli*
- Renunciation of previous nationality

Procedures

- Children of a Spanish father or mother, and children born on Spanish territory are deemed to be Spanish if either parent was born in Spain or if their descent is unclear.
- Spanish citizenship is acquired by marriage as well as by naturalisation. Requirements for naturalisation are a minimum of 10 years' residence, honourability, and adaptation to Spanish society. The minimum period of residence is 2 years for nationals from Latin America, Andorra, the Philippines, Equatorial Guinea, Portugal and Sephardic Jews; 1 year for persons born in Spain of foreign parents, spouses/widows/widowers of a Spanish national, and persons born outside Spain one of whose parents is Spanish by birth (*OECD (1995), SOPEMI 1994*).

Information on the Data by Year

- OTHER: this category consists of 'Armenios-Palestinos'.

6.15 Sweden (SE)

Sources

- **Source:** Total Population Register
- **Disseminating/Processing Authority:** Statistics Sweden (SCB)
- **Competent Authority:** National Immigration Administration
- **Appeals Authority:** Aliens Board

Legislation

- Law 382 on Swedish Nationality, 1950 (accompanied by Ordinance 235, 1969)
- Amendments to the Nationality Law: SFS 1984/682 of 10 July 1984; SFS 1991/1574; SFS 1992/392; SFS 1994/143 of 19 April 1994

Principles

- Jus sanguinis
- Dual citizenship not normally allowed

Procedures

- Law SFS 1984/682 of 10 July 1984 amending Law 1950/382 on nationality asserts that a person can become a Swedish citizen by birth, by legitimation, by naturalisation, and by application. In most cases, adult applicants who become Swedish citizens automatically lose their previous citizenship (they have to provide documentary proof of renunciation of the previous nationality).

Criteria for the acquisition of citizenship are having reached the age of 18; lived in Sweden for the last 5 years for non-Nordic citizens; or lived in Sweden for the last 2 years for Nordic citizens; lived an honourable life. Children under the age of 18 acquire citizenship at the same time as their parents.

- In July 1992 the legislation was modified to include the equal treatment of adopted children and natural children within the Nationality Law.

Information on the Data by Year

- SE: for 1993 and 1994, 3 respectively 5 Swedes are recorded as acquiring Swedish citizenship.

6.16 Switzerland (CH)

Sources

- **Source:** The Central Aliens Register
- **Disseminating/Processing Authority:** Federal Statistical Office (BFS/OFS/UST)
- **Competent Authority:** Federal Office for Police
- **Appeals Authority:** Federal Office for Police

Legislation

- The Federal Law on Acquisition and Loss of Swiss Citizenship, 29 September 1952, modified 1 January 1978, 1 July 1985, and 23 March 1990, effective 1 January 1992.

Principles

- Jus sanguinis
- Dual nationality allowed

Procedures

- A child gets Swiss nationality if one of the parents is a Swiss national on the day of birth.
- According to Swiss citizenship law a foreigner can acquire Swiss citizenship by regular naturalisation, simplified naturalisation, recognition as a Swiss citizen, marriage with a Swiss citizen, and adoption. Requirements for naturalisation are a minimum of 12 years' residence (years between the age of 12 and 20 counting double), integration into Swiss society and good conduct.
- Until the end of 1991 foreign women marrying a Swiss national automatically received Swiss citizenship, even if they did not live in Switzerland prior to the marriage. By change of law this was not possible any more after 1991. A minimum of 5 years' residence is required for naturalisation of the foreign spouse of a Swiss national.
- The changes of the law on citizenship in 1978 and 1985 allowed legitimate children of a Swiss mother and a foreign father to apply for recognition as a Swiss citizen until 1990.

(Source: Statistical Yearbook)

Information on the Data by Year

- Switzerland includes a category of previous Tibetan citizenship in the acquisition of citizenship statistics.
- The number of persons recognised as Swiss citizens as a result of the transitional regulations of 1978 and 1985 fluctuated annually. The highest number of recognitions occurred in 1986 (4,100), whereas the number in 1990 was only 200. The transitional period ended in 1991.
- An estimated 35,000 females who acquired Swiss citizenship by marrying a Swiss national and live in the country today do not show up in the statistics as they did not live in the country before their marriage.
- After 1991 Swiss citizenship is no longer automatically granted to foreign women marrying a Swiss citizen.
- Swiss laws allow dual citizenship, but in the statistics persons with dual citizenship are exclusively counted as nationals.

- In 1980-1990 acquisition of citizenship by naturalisation constituted 63 per cent of the total. Acquisition of citizenship by marriage and by recognition each accounted for 18 per cent of the total, and adoption for the remaining 1 per cent (about 600 persons annually).

6.17 United Kingdom (UK)

Sources

- **Source:** Home Office Nationality Directorate
- **Disseminating/Processing Authority:** Home Office Research and Statistics Directorate
- **Competent Authority:** Home Office, Secretary of State for Home Department
- **Appeals Authority:** None

Legislation

- British Nationality Act 1948 (Section 10 on naturalisation), modified by the Immigration Act 1971.
- British Nationality Act 1964.
- British Nationality Act 1981 and subsequent minor amendments, effective from 1 January 1983. Section 6 on naturalisation, Sections 10 and 13 on resumption of citizenship. Section 5 refers to persons from Gibraltar, Section 36 to stateless persons.
- 31 December 1987, the 1981 British Nationality Act's transitional provisions expired
- 1990 British Nationality (Hong Kong) Act

Principles

- Jus soli applied prior to the 1981 Nationality Act.
- After the 1981 Nationality Act came into force a combination of *jus sanguinis* and jus soli applies; a child born in the UK is deemed British if either parent is British or has been accepted for permanent settlement in the UK.
- Equal treatment of men and women.
- Dual nationality allowed.

Procedures

- The British Nationality Act 1981 reduced greatly the number of persons eligible to claim British citizenship by reason of entitlement. Most applications have to be made on discretionary grounds. Certain entitlements to British citizenship were extended for a transitional period (ended 1987).
There is independence of spouses since the 1981 Act came into force in 1983. Before 1983 British nationality could be acquired by foreign women married to a British citizen. Citizenship is neither acquired nor lost automatically on marriage, but the spouse of a British citizen may be naturalised after completing 3 years residence.
- British citizenship may be acquired by naturalisation under certain conditions: five years previous residence; knowledge of the English language; no criminal record and intention to adopt domicile or permanent residence in the UK.
- There are 6 categories of nationals: British Citizen; British Dependent Territories Citizen; British National (Overseas); British Overseas Citizen; British Subject; British Protected Person.
- Eligible persons resident in Hong Kong are granted British citizenship under the 1990 Act. These acquisitions of citizenship outside of the UK are not included in the figures.
(Source: Home Office Statistical Bulletin, several years)

Information on the Data by Year

- Previous citizenship UK: refers to British Dependent Territories Citizens (inclusive of persons living in Gibraltar), British Protected Persons, British Overseas Citizens, British Subjects and British Nationals (Overseas) acquiring full British citizenship.
- Because there has for many years been a backlog of applications awaiting decision, there is not necessarily a close correlation between the levels of new applications and grants in the same year.
- 1981 - Proposed changes to nationality laws were published, resulting in an increase in citizenship applications received and granted.
- 1983 - British Nationality Act 1981 came into force.
- 1989 - Large increase in grants of citizenship following a very high level of applications received in 1987, when the transitional provisions of the 1981 Nationality Act ended.

7. Access to Eurostat data on international migration

Eurostat Data Shop network

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E-mail : datashop@planistat.be

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8. Relevant Publications

A) Statistics in Focus and Rapid Reports

1993/6

Population by citizenship in the EC - 1.1. 1991

1993/8

Female population by citizenship in the European Community

1993/12

International migration flows in selected EC countries - 1991

1994/1

Asylum-seekers in the EU: better data needed

1994/7

Non-nationals form over 4% of total population in the European Union – 1.1.1992

1995/3

International migration in the EU Member States - 1992

1995/11

Acquisition of citizenship by naturalisation in the EU - 1993

1996/1

Asylum-seekers in Europe 1985-1995

1996/2

Non-nationals make up less than 5% of the population of the EU on 1.1. 1993

1998/3

Migration between the Mediterranean Basin and the EU in 1995

1998/10

The population of selected European countries by country of birth

B) Working Papers

E4/1997-1

Comparing data sources for measuring international migration in
Central and Eastern Europe
Michel Poulain - Université Catholique de Louvain

E4/1997-2

La mesure des courants de migration internationale entre la
Belgique, d'une part, le Danemark et la Suède, d'autre part
Ingvar Johannesson, Statistics Sweden, Örebro
Anita Lange, Danmarks Statistics, Copenhagen
Michel Poulain, Institut National de Statistique, Bruxelles

- E0/1997-3 Living conditions and inequality in the European Union, 1994
Joachim Vogel, Statistics Sweden
- E4/1997-4 Birth expectations and their use in fertility forecasting
W. Van Hoorn, Statistics Netherlands
N. Keilman, Statistics Norway
- E4/1997-5 Long-term internal migration scenarios for the countries of the
European Union
Nicole Van Der Gaag, Evert Van Imhoff, Leo VanWissen, NIDI
- E4/1997-6 Long-term international migration scenarios for the European
Economic Area
Andries De Jong, Harry Visser, Statistics Netherlands
- E4/1997-7 Now-casts of live births and deaths for 15 countries of the
European Economic Area
J. De Beer, K. Koldijk
- E4/1997-8 Improved migration statistics - An evaluation
Ingrid Melin - Statistics Sweden
- 3/1998/E/n°1 Indicators of migration between the Republic of Ireland and the
United Kingdom
Central Statistics Office, Ireland
Office for National Statistics, United Kingdom
- 3/1998/E/n°2 Swiss-Swedish joint study on cohort-based asylum statistics
Torsten Torstensson, Krister Isaksson, Swedish Immigration
Board
Stéphane Cotter, Marcel Heiniger, Swiss Federal Statistical
Office Bern
- 3/1998/E/n°3 Analysis and projection of mortality by gender, age/generation,
and main causes of death for France, Italy, the Netherlands, and
Norway
E. Tabeau, P. Ekamper, C. Huisman, A. Bosch
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- 3/1998/E/n°4 Stock de migrants et population d'origine étrangère –
Comparaison des concepts dans les pays de l'UE
B. Krekels, M. Poulain
- 3/1998/E/n°5 ESSPROS
- 3/1998/E/n°6 Household Budget Surveys – Methodology 1997
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D. Delaunay, G. Tapinos

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- 3/1998/E/n°12 International Migration Statistics in the Mediterranean Countries: current data sources and statistics available from international organisations
D. Pearce
- 3/1998/E/n°13 Developing a comprehensive framework for health care statistics
- 3/1998/E/n°15 Documentation of Eurostat's database on international Migration: Central European Countries, Cyprus and Malta
J. Bowman, J. Clarke, E. van Dam, V. Eidukiene, A. Herm, H. Prophet, I. Salt, A. Singleton, U. Usackis
- 3/1998/E/n°16 Documentation of Eurostat's database on International Migration: Labour Data. J. Clarke, M. Clarke, E. Van Dam, I. Salt, G. Cantisani, H. Eding, A. Singleton
- 3/1998/E/n°17 Long-term fertility scenarios for the countries of the European Economic Area. A. de Jong – Statistics Netherlands
- 3/1998/E/n°18 Draft manual on statistics of Asylum-seekers and refugees
R. van der Erf
- 3/1998/E/n°19 Asylum-Seekers and Refugees a statistical report
Volume 3: Central European Countries
R. van der Erf, E. van Dam, NIDI
- 3/1998/E/n°20 International Migration Statistics in the Mediterranean countries: current data sources and statistics available in the countries
Revised version
D. Pearce, D. Rotolone
- 3/1998/E/n°21 International Migration Statistics in the Mediterranean Countries: Report on the legal situation
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- 3/1999/E/n°2 European Statistics on occupational diseases "evaluation of the 1995 pilot data"

- 3/1999/E/n°3 Investigation of the methods of estimating migrant totals
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Manfred Bretz
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Part 1: creation of an information database
Aarno Sprangers, Hans Sanders. Statistics Netherlands
- 3/1999/E/n°8 National and Regional Population Trends in the European Union
N. van der Gaag, L. van Wissen, E. van Imhoff, C. Huisman,
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- 3/1999/E/n°9 Analysis and Forecasting of International Migration
by Major Groups (Part II)
N. van der Gaag , L. van Wissen, NIDI
- 3/1999/E/n°10 Guidelines and Table programme for the Community Programme
of Population and Housing Censuses in 2001
Volume II: Table Programme
- 3/1999/E/n°11 Statistiques sur la migration internationale dans les pays
méditerranéens. Rapport de mission : Algérie, Maroc, Tunisie
Jamel Bouchachen
- 3/1999/E/n°12 International Migration Statistics in the Mediterranean Countries
Mission Report: Cyprus, Malta, Egypt
David Pearce, Barry Little
- 3/1999/E/n°13 International Migration Statistics in the Mediterranean Countries
Mission Report: Palestine, Jordan, Israel
Mauri Nieminen
- 3/1999/E/n°14 International Migration Statistics in the Mediterranean Countries
Mission Report: Turkey, Syria, Lebanon. Jeannette Schoorl
- 3/1999/E/n°15 Report on demographic situation in 12 Central European
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3/1999/E/n°18

International Migration Statistics in the Mediterranean Countries.
Summary report of missions to the 12 project countries, David
Pearce