

Naturalisation: Patterns and Trends Across Europe

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Paper Overview

- Discretionary and legal entitlement to naturalisation
- 8 modes (included in Tables 1-8):
 - Residence: ordinary (A06) and socialisation (A07)
 - Spousal transfer (A08) and extension (A13)
 - Filial transfer (A09) and extension (A14)
 - Refugees (A22) and stateless persons (A23)

Presentation Overview

- Exclusive focus on A06
- Specifically:
 - Material conditions (Table 1)
 - The nature of residence (Table 2)
 - Membership requirements (Table 3)
 - Procedural condition (Table 4)
- Patterns: divergence in material conditions, similarities among procedure
- Trends: language and country knowledge requirements

Two procedures for acquisition through naturalization

- As a legal entitlement: based on a decision by the public authorities that **must be granted** by them if and when the relevant conditions specified by law have been met.
- As a discretionary act: following a decision by the public authorities, TP **may, but need not, be granted** citizenship if conditions specified in the law have been met

Overview of Material Conditions (T1)

- Basic conditions and parameters of residence-based or “ordinary naturalisation”
 - Range of residency from 3 (BEL) to 12 (SWI)
- Majority of procedures are discretionary
 - Connection between renunciation and procedure of entitlement (CRO, GER, NET, SPA)
- Gaps between rules and applications
 - Financial
 - Criminal record
 - Good character
 - Integration

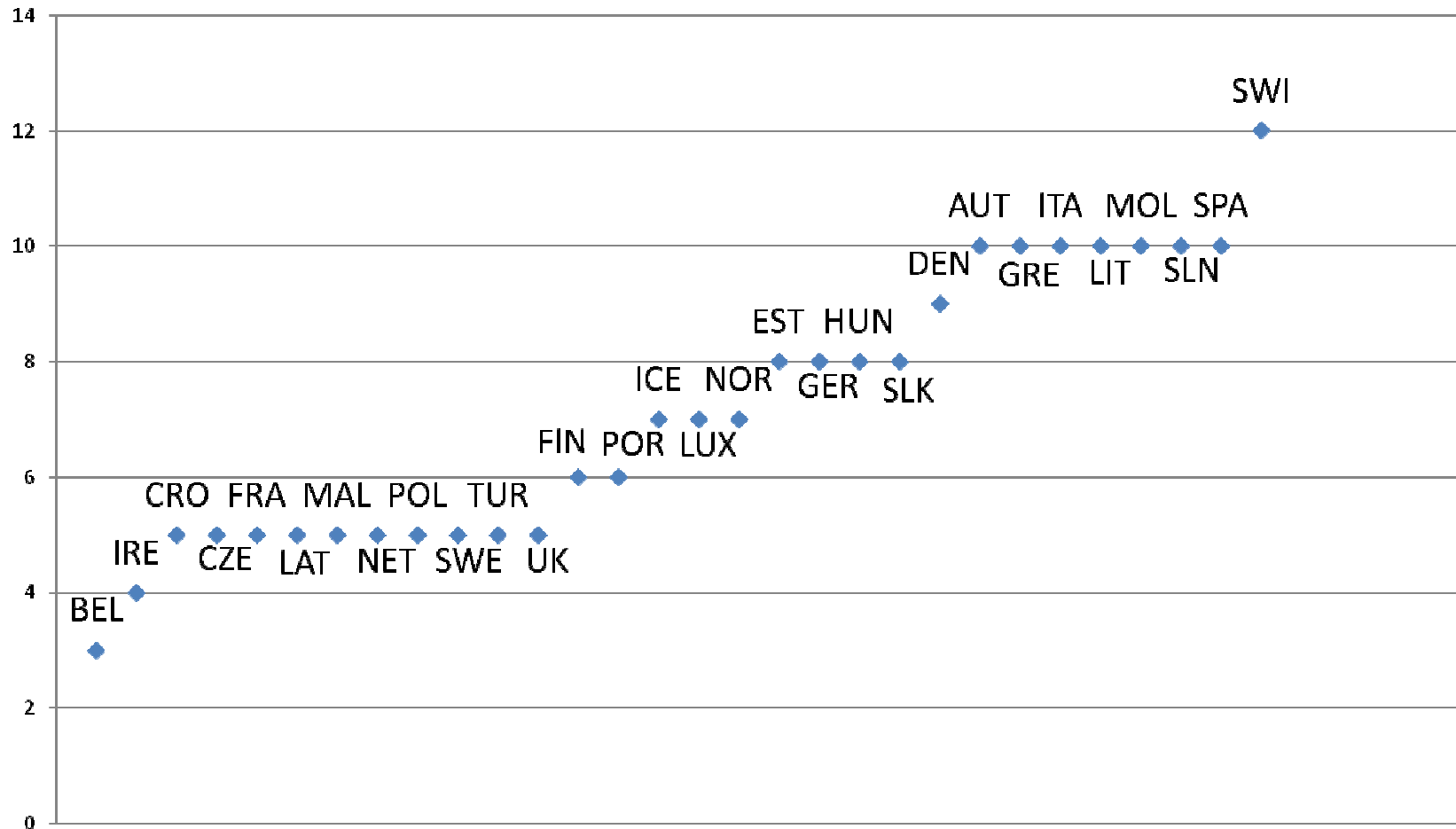
A Closer Look at the Integration Requirement

EXPLICIT	IMPLICIT OR VAGUE
Austria	Czech Republic
France	Germany
Netherlands	Luxembourg
Romania	Malta
Spain	
Switzerland	
Turkey	

Residence Conditions (T2)

- Components of residency beyond duration
- Residence type (temporary, settlement, years in aggregate) throughout stay in C1
 - Options for variety of statuses (AUT, EST, SWI) and periods of continuity (GRE, IRE, MAL, NOR, SLN, also FIN, NET)
- Residence status at the time of application
 - Permanent residence (AUT, CZE, DEN, HUN, ICE, LAT, LIT, SWE)

Residency Requirements



Membership Requirements (T3)

- Language requirements
 - Instrument (interview, certification, test)
 - Level of assessment (CEFR)
 - exemptions
- Citizenship tests (country knowledge, values)
- Oaths (oral, written, citizenship ceremonies)
- Prolific condition of citizenship, except in BEL, IRE, ITA, SWE

Patterns in Language

Difficulty raised
(e.g. level, pass rate)

AUT DEN DEN LUX

Certification/test

SLN EST LUX AUT FIN POR NOR
GER DEN NET
UK

Informal interview

DEN AUT GRE
FRA
NET
UK

Requirement removed

...	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
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BEL

CEFR Levels

A1	A2	B1	B2	C1
FRA	AUT	CZE	DEN	MOL
	ICE	EST		
	LUX (speaking)	FIN		
	NET	GER		
	POR	LAT		
	SPA (reading)	LUX (listening)		
		SPA (listening, speaking)		
		SWI		
		UK		

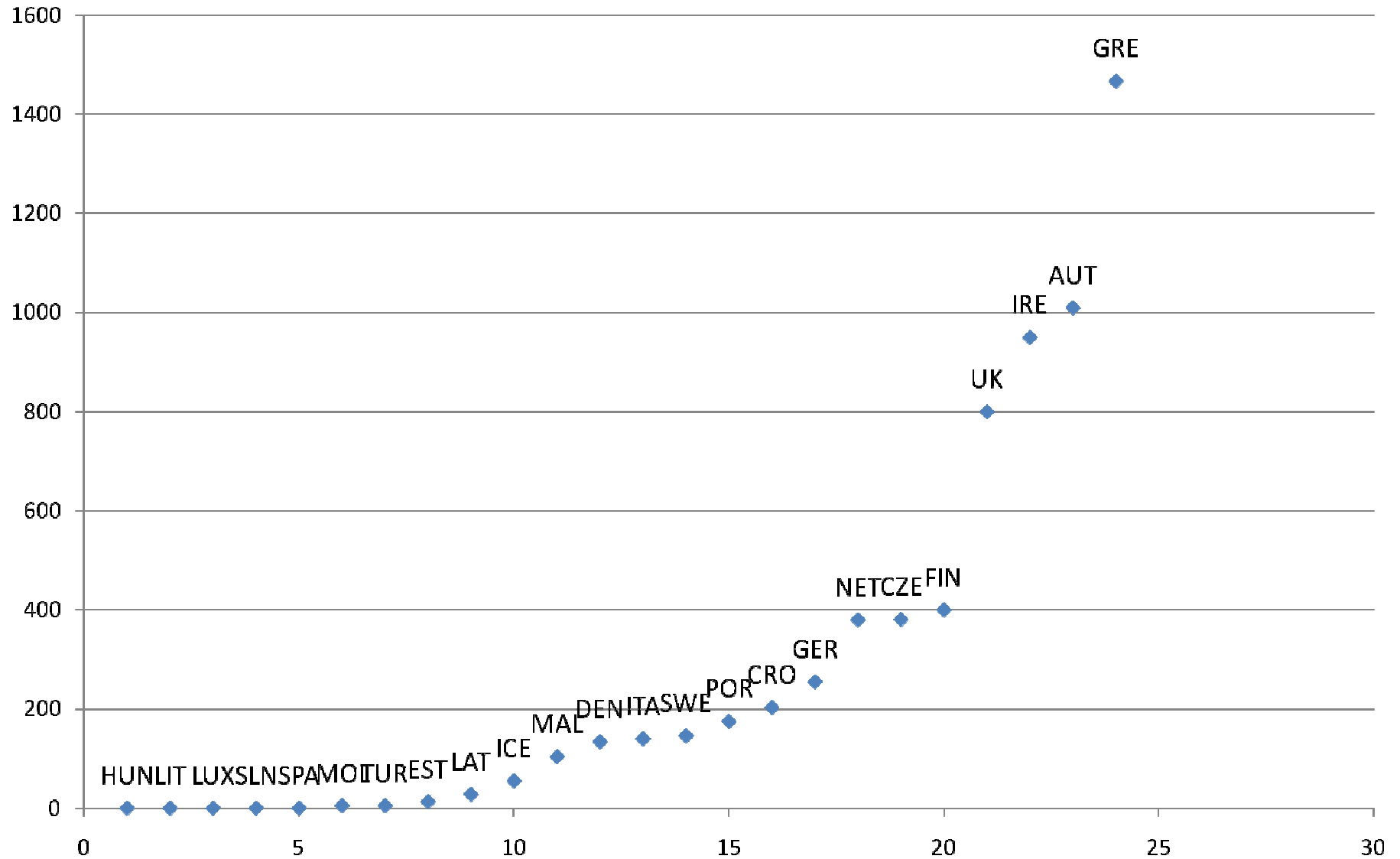
Patterns in Country Knowledge

Difficulty raised <i>(e.g. level, pass rate)</i>										LAT	DEN	
Certification/test	EST				NET		AUT	DEN			GER	
	HUN											
	LAT											
	LIT											
	MOL											
Informal interview	SLK	GRE		DEN	FRA							LUX
	SWI											
	TUR											
Requirement removed	...	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009

Procedural Requirements (T4)

- Justification of negative decision in most states, except BEL, DEN*, IRE*, MAL
 - GRE a recent example of change and utility of EUDO database
- Possibility of appeal in most states, except BEL, CRO, DEN, MAL
 - GRE, IRE, TUR only have appeal at highest court
- Most studies do not take cost into account

The Cost of Citizenship



Tentative Conclusions

- Increased sample of new countries alongside EU-15 reveals more similarities than differences
 - language requirements; assessment
 - residency periods
 - procedure
- However, differences remain
 - Utility or origin of membership requirements; integration of newcomers vs. acknowledgement of co-ethnics