



Third Study 2019

## Pathways to citizenship for third-country nationals in Luxembourg



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The European Migration Network, created by Council Decision no. 2008/381/EC of 14 May 2008, has the objective of supplying up-to-date, objective, reliable and comparable information on migration and asylum in the Community institutions, to the authorities and institutions of the Member States and to the general public with a view to support policy- and decision-making with the European Union.

## Preface

The opinions expressed in this report are those of the authors. They do not necessarily reflect the positions of the Luxembourg Ministry for Family, Integration and the Greater Region or of the Ministry of Foreign and European Affairs.

The present report was drafted by Adolfo Sommaribas and Ralph Petry, staff members of the National Contact Point Luxembourg within the European Migration Network, under the overall responsibility of Prof. Dr. Birte Nienaber. Continuous support was provided by the members of the national network of the National Contact Point Luxembourg: Sylvain Besch (CEFIS), Christiane Martin (Directorate of Immigration, Ministry of Foreign and European Affairs), François Peltier (STATEC) and Marc Hayot (OLAI, Ministry for Family, Integration and the Greater Region).

## Methodology

National reports are produced by the respective National Contact Points (NCPs) on the legal and policy situation in their Member State according to common specifications. Subsequently, a comparative synthesis report is generated by the European Commission with its service provider giving the key findings from each national report, highlighting the most important aspects and placing them as much as possible within an EU perspective. The various national accounts and the summary report are made publicly available.

The EMN engages primarily in desk research, i.e. it collects and analyses data and information already available or published at the Member State or international level. Legal texts, official documents (such as parliamentary documents) and reports have been used for this study. Furthermore, experts from the Ministry of Justice, the Ministry of National Education, Children and the Youth as well as the National Institute of Languages have been consulted.

# EMN STUDY 2019

## Pathways to citizenship for third-country nationals in Luxembourg

*Disclaimer: The following information has been provided primarily for the purpose of contributing to a synthesis report for this EMN study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Member State.*

### Top-line factsheet

*The top-line factsheet will serve as an overview of the **national contribution** introducing the study and drawing out key facts and figures from across all sections, with a particular emphasis on elements that will be of relevance to (national) policy-makers. Please add any innovative or visual presentations that can carry through into the synthesis report as possible infographics and visual elements.*

The laws and regulations regarding the acquisition of nationality in Luxembourg underwent a complete overhaul in 2017, with the amended Law of 8 March 2017 on Luxembourgish nationality (hereafter referred to as 'Nationality Law') abrogating the Law of 23 October 2008. This new Nationality Law instituted a number of important overarching modifications and additions that are addressed throughout the study. It should be noted that, in general, the Luxembourg Nationality Law does not differentiate between applications introduced by EU citizens or third-country nationals, except in regard to persons with international protection status and one of the so-called "options". Thus, for the most part, the information that follows does not only apply to third-country nationals but to every non-Luxembourgish national.

Apart from obtaining Luxembourgish nationality by simple operation of law, i.e. automatically and without any action being taken by the person concerned, the Luxembourgish Nationality Law foresees three modes through which a third-country national can acquire Luxembourgish nationality by procedural means: acquisition of nationality via ordinary naturalisation, via option or via reclamation. The three modes confer the beneficiary all the civil and political rights and obligations that are associated with being a Luxembourgish national.

The ordinary naturalisation procedure is addressed in much detail throughout all sections of this study, as it is the primary scope. The main conditions that have to be fulfilled in order to apply for ordinary naturalisation are: an habitual and legal residence of at least 5 years (of which the last year must be uninterrupted); the passing of a Luxembourgish language test; the attendance or passing of the citizenship course or test; and the proof of good conduct of the applicant. The economic and housing situation of the candidate is not taken into account, and s/he is not required to legally or symbolically commit to certain values or norms, nor to formally pledge allegiance to the country.

The so-called "option" procedure is a simplified and accelerated form of acquisition of Luxembourgish nationality for specific categories of legal migrants. The new Nationality Law introduced 10 specific cases of options that grant Luxembourgish nationality, of which 9 apply to third-country nationals (see below). These specific cases include, among others, adults with a (adoptive) parent or grandparent who is or was a Luxembourgish national, parents of a Luxembourgish minor, marriage to a Luxembourgish national, adults having completed 7 years of schooling in Luxembourg, adults legally residing in Luxembourg for at least 20 years, or adults having fulfilled the obligations arising from the Welcome and Integration Contract (see Q20c for more details on all 9 cases). The conditions that have to be fulfilled in order to apply for Luxembourgish nationality depend on the respective specific option, with some options requiring the same conditions as described above for ordinary naturalisation while others exempt the candidate from certain conditions.

The reclamation procedure is the third important pathway of acquisition of nationality, foreseen for example for adults who lost their status as Luxembourgish nationals. It is in particular the reclamation procedure for direct maternal or paternal descendants of an ancestor who held the Luxembourgish nationality on 1 January 1900 that has had an important impact in Luxembourg (see particularly Q7 and Q8 for more information). In regard to the required conditions, it needs to be mentioned that this specific procedure does not require that the applicant resides or had ever resided in Luxembourg. Furthermore, s/he is exempted from providing proof of Luxembourgish language knowledge or of the attendance or passing of the citizenship course or test. It is important to note that the possibility to introduce such an application ended on 1 January 2019.

The public authorities that are involved in the procedures of acquisition of nationality are the civil registrar of the municipality where the candidate resides, the Nationality Office of the Ministry of Justice, the Minister of Justice

and the Public Prosecutor's Office. The procedure for the acquisition of nationality by ordinary naturalisation is as follows: The application is to be made in person to the civil registrar of the municipality of the applicant's usual place of residence. After verifying the application and the legal conditions, the civil registrar officer will record the naturalisation application and send the file to the Ministry of Justice. The Minister of Justice, duly authorised by the candidate, requests the Luxembourg criminal record to the competent service at the Public Prosecutor's Office. The Nationality Office of the Ministry of Justice examines the file and may request additional documents to be provided by the candidate. The Minister of Justice is the responsible authority for the final decision on the application. The final decision will be issued as a ministerial order to the civil registrar officer who will notify the candidate.

A look at the statistics regarding the acquisition of nationality via procedural means, including all the pathways open to third-country nationals, for the period 2014 to 2018 show that the simplified option procedure (regrouping all the 10 specific cases) is the most common pathway through which third-country nationals have acquired Luxembourgish nationality, with 2,927 total acquisitions. The second most common pathway between 2014 and 2018 has been the reclamation procedure, with 2,775 total acquisitions. The third most common pathway was the ordinary naturalisation procedure, with 2,740 total acquisitions (see Q8 and the statistical annex for more details). In regard to the statistics, it is important to make a distinction between acquisitions by residents of Luxembourg and by persons that are not residing in Luxembourg. In recent years, candidates having either Brazilian or US American nationality as their first nationality constituted the majority of third-country national applicants. However, the overwhelming majority of these candidates is not residing in Luxembourg, as they acquired Luxembourgish nationality via the reclamation procedure. In contrast, applicants of the next most represented first nationality in Luxembourg, namely Montenegrins, Bosnian/Herzegovinians, Serbians, Cape Verdeans and Kosovars, are almost exclusively residents of Luxembourg. Furthermore, they mainly acquired Luxembourgish nationality either via the simplified option foreseen for adults residing legally in Luxembourg for at least 20 years or for persons over the age of 12 who were born in Luxembourg before 1 July 2013. In 2018, the share of non-EU citizens residents who acquired Luxembourgish nationality was around 34% (see statistical annex).

Luxembourg introduced the principle of multiple nationalities through the legislative reform of 2008, which resulted in a significant increase of acquisitions of Luxembourgish nationality, as applicants are no longer required to renounce their other nationality or nationalities. There are no particular requirements that third-country nationals have to fulfil in this context, nor are there any particular restrictions placed on third-country nationals who hold dual citizenship. Every Luxembourgish national is considered as such by the national authorities, independent of her/his other nationalities.

The promotion of the societal integration of non-Luxembourgish nationals in the Grand Duchy of Luxembourg as well as the strengthening of the cohesion within the national community are stated purposes in the draft bills of both the abrogated Law of 23 October 2008 and the amended Law of 8 March 2017. The latter further included the component of the political integration of non-Luxembourgish nationals, as one of the main differences between the acquisition of nationality and the holding a long-term residence permit is the participation in all elections in Luxembourg (obligation to vote). Further differences in comparison to the long-term residence permit relate to the access to all posts in the public service, including the posts that involve the exercise of public authority. Furthermore, Luxembourgish nationals are provided with diplomatic and consular assistance while travelling abroad and are exempted from the need to prove sufficient financial resources in the context of family reunification.

## Section 1: Legal and policy overview

### Q1. With reference to international law, is your Member State a party to the:

#### a) 1961 UN Convention on the Reduction of Statelessness?

Yes.<sup>i</sup>

#### b) 1997 European Convention on Nationality?

Yes.<sup>ii</sup>

### Q2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in your Member State? For example, is the acquisition of citizenship laid out in the constitution?

Please explain in the form of a short, succinct narrative, starting from general principles to application rules. Please provide references to the main relevant laws and (name and date).

The Luxembourgish Constitution<sup>iii</sup> establishes that the status of Luxembourgish is acquired, kept and lost in accordance with the rules established by the law. The amended Law of 8 March 2017 on Luxembourgish nationality<sup>iv</sup> is the main instrument regulating the acquisition and loss (renunciation and revocation) of Luxembourgish nationality.

Furthermore, there are several Grand ducal regulations that execute the law, namely: a) Grand ducal regulation of 20 July 2018 amending Grand ducal regulation of 23 July 2016<sup>v</sup>; b) amended Grand ducal regulation of 7 April 2017 regarding the courses and test of “Living together in the Grand Duchy of Luxembourg” organised in the framework of the procedures of acquisition of Luxembourgish nationality;<sup>vi</sup> and the Grand ducal regulation of 22 July 2019 on the evaluation exam of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.<sup>vii</sup>

It is important to note that, in general, the legal instruments introduced above, and as a consequence all the conditions and requirements referred to in this study, apply to every non-Luxembourgish national, there is no differentiation made between EU citizens and third-country nationals, except in regard to persons with international protection status and one of the so-called “options” (see Q7 for more details).

### Q3. Have the laws and policies regarding third-country nationals’ acquisition of citizenship in your country undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship<sup>1</sup>? If yes, what have been the main drivers for the change? (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.) *Kindly note that the response should refer to the target group of the study only.*

Yes.

The laws and regulations regarding the acquisition of nationality in Luxembourg underwent a complete overhaul: the Law of 23 October 2008 on Luxembourgish nationality was abrogated by the amended Law of 8 March 2017 on Luxembourgish nationality.<sup>viii</sup>

The overall aim of this reform was to promote the societal integration of non-Luxembourgish nationals in the Grand Duchy of Luxembourg as well as the aim to strengthen the cohesion within the national community.<sup>ix</sup> Whereas the promotion of societal integration and the strengthening of the cohesion within the national community were already formulated aims of the reform in 2008<sup>x</sup>, the reform in 2017 additionally made explicit reference to the political integration of non-Luxembourgish nationals as part of the proposed ‘democratic renewal’<sup>xi</sup> of the Government at the time (see below).

Furthermore, one of the main drivers for the reform in 2017 is the demographic situation of the country.<sup>xii</sup> This situation is characterised by an unprecedented increase of the total population in the last decades due in large part to immigration as well as an important decrease of Luxembourgish nationals among the total

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<sup>1</sup> In the framework of this study, the aim is to identify and assess potential changes that may have occurred in the past five years. Please limit your analysis to the 2014-2019 period. However, should important changes occurred in 2013, you can still mention those and explain the impact on the current rules in place.

population of Luxembourg. In fact, the draft bill makes reference to the period between 1 January 1990 and 1 January 2015, during which the total population increased from 379.000 to 562.958 inhabitants. Over the same period, the percentage of Luxembourgish nationals among the total population decreased from 71,3% to 54,1%. Since 2015, this percentage decreased slightly more to attain 52,5% in 2019.<sup>xiii</sup> Furthermore, referring to projections of net migration for Luxembourg by EUROSTAT, the draft bill states that 'these projections suggest that the number of non-Luxembourgish nationals will increase to an even higher pace than in the past. As a result, the Luxembourgish nationals would soon be a minority in the Grand Duchy'.<sup>xiv</sup>

Another important driver in this context was the acceleration and the simplification of the treatment of applications introduced by persons with a particularly close link to Luxembourg.<sup>xv</sup> For this purpose, the legislator reintroduced<sup>xvi</sup> the acquisition of nationality via the so-called "option", which constitutes a simplified procedure for the applicant as well as for the Ministry of Justice as the responsible authority (see below and Q7 for more details).

From the legislative perspective, the reform of the Nationality Law of 2008 was already underway since 2013, with the introduction of a draft bill in April 2013 by the Minister of Justice at the time.<sup>xvii</sup> After the anticipated legislative elections in October 2013, the newly elected Government, for its part, announced a reform of the Nationality Law in its coalition agreement 2013-2018 as part of a 'democratic renewal'.<sup>xviii</sup> However, the referendum of 7 June 2015 played an important role in the reform of the Nationality Law.<sup>xix</sup> One of the three questions of this referendum concerned the possible extension of voting rights for non-Luxembourgish residents<sup>xx</sup> in legislative elections, a question that was the subject of a controversial public debate and which was rejected by a large majority<sup>xxi</sup> of Luxembourgish voters on election day (see Q4 for more information on the debate). At the same time, some political forces, including the main opposition party, the Christian-Social party (CSV), proposed a reform of the Nationality Law of 2008 as an alternative to the question of the referendum with the acquisition of Luxembourgish nationality remaining the condition for participation in national elections.<sup>xxii</sup>

As non-Luxembourgish residents did not gain the right to vote via the proposed residence-based citizenship, the political debate in the aftermath of the referendum was defined by the seeking of a consensus of the Government parties with the parliamentary opposition.<sup>xxiii</sup> The amended Law of 8 March 2017, approved by Parliament with 57 votes in favour and 3 votes against, is the result of these discussions. It introduced several important overarching modifications and additions, inter alia, the following (see Section 2 for more details):

- the reduction of the required residence period from 7 to 5 years in the naturalisation procedure (last year of residency prior to the application must be uninterrupted);
- adjustments to the language requirements in order to prevent the language becoming an insurmountable obstacle: the legislator considered the successful completion of the spoken language evaluation sufficient to pass the language test;
- increase in the number of required hours of the citizenship course (from 6 to 24 hours);
- the reintroduction of the pathway to acquire Luxembourgish nationality via the so-called "option" procedure by introducing a broad spectrum of 10 specific cases. An option is a simplified and accelerated form of acquiring Luxembourgish nationality for persons with a particularly close link with Luxembourg. Such a link may not only result by descent or from the marriage with a Luxembourgish national, but also from the birth in the Grand Duchy, a long period of residence in the country, the completion of schooling in Luxembourg, or the quality of a voluntary soldier (see Q7 for more information on the 10 specific cases).<sup>xxiv</sup>
- the introduction of *ius soli* for the first generation.<sup>xxv</sup> Under this provision, persons born in Luxembourg will automatically become Luxembourgish citizens at the age of majority if they fulfil the double residence clause: they themselves must have an uninterrupted period of residence during the 5 years preceding their majority and one of their non-Luxembourgish (adoptive) parents must have lawfully resided in Luxembourg during the 12 months immediately preceding the birth of the child.

In the context of the specific scope and the target group of this study, it is important to note that all the conditions for ordinary naturalisation have been adapted, with the exception of the age requirement (18 years).<sup>xxvi</sup>



**Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of your Member State in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).**

Yes.

Generally speaking, the topic of the acquisition of Luxembourgish nationality, Luxembourgish identity and Luxembourgish language proficiency are regularly subject to debate in the media and the general public. At the same time, it is important to stress that these debates do not focus on the acquisition of nationality by third-country nationals only. As mentioned in the answer to Q2, in general, no difference is made between the acquisition of nationality by EU citizens and third-country nationals.

As indicated in the answer to Q3 above, Luxembourgish nationality, together with the policies regarding the Luxembourgish language and identity as well as the notion of democratic deficit in view of the aforementioned demographic situation, was one of the key components of the public debate in the context of the referendum of 7 June 2015 as well as in the context of the reform of the Nationality Law in 2017. In both cases, the debate was held by policy-makers, the media, the civil society and the general public alike.<sup>xxvii</sup> At the base of the debate surrounding the referendum was the question if Luxembourgish nationality should still remain the primary condition to have access to the right to vote in legislative elections or if the right to vote should be decoupled from Luxembourgish nationality and instead be replaced by a residence-based citizenship that includes voting rights for legislative elections. At the same time, with the introduction of a law proposal to reform the Nationality Law by the main opposition party CSV as an alternative to the referendum question, the conditions for the acquisition of nationality was largely debated during the referendum campaign. Particularly the condition regarding the knowledge of the Luxembourgish language was subject of a larger controversial public debate between those advocating for (more) strict criteria for Luxembourgish language proficiency and those arguing for less stringent criteria in order to avoid exclusion due to insufficient knowledge of the language. This debate continued after the negative outcome of the referendum of 2015 and up to the reform of the Nationality Law during the course of 2016.<sup>xxviii</sup> As mentioned in Q3, the result of these debates were adjustments to the language requirements in the context of the reform of the Nationality Law in 2016 with the aim of preventing the language to become an insurmountable obstacle. The legislator did not change the required level of knowledge proficiency (A2 for the spoken test and B1 for the listening test), however, the legislator considered the successful completion of the spoken language evaluation sufficient to pass the language test.

As for the question if the debates regarding the acquisition of Luxembourgish nationality also include the component of EU citizenship rights, the answer is no. As mentioned above, the debates generally focus on national policies regarding nationality, identity and language proficiency as well as on the access to voting rights for national elections.

**Q5. From a legal perspective, is there a distinction between nationality and citizenship in your Member State? If so, what are the differences?**

No.

No, from a legal perspective, there is no distinction between nationality and citizenship.<sup>xxix</sup> In Luxembourg, an applicant acquires Luxembourgish nationality and, consequently, all the rights, duties and obligations attached to it.<sup>xxx</sup> One of the most important obligations in this context is the obligation to vote in all elections in Luxembourg.<sup>xxxi</sup> Furthermore, one of the acquired rights relates to the access to posts in the public service that are reserved for Luxembourgish nationals. Luxembourgish nationality is required for posts that involve, directly or indirectly, the exercise of public authority and the functions which aim at the safeguarding of the general interests of the State or other legal persons governed by public law.

**Q6. Is the acquisition of citizenship in your Member State based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles? Please check the appropriate box and explain.**

***ius sanguinis*.**

The Nationality Law establishes that the minor born to a Luxembourgish parent is Luxembourgish at the moment of her/his birth or at the time of the determination of her/his filiation.<sup>xxxii</sup> Furthermore, the minor whose parent is granted Luxembourgish nationality obtains Luxembourgish nationality.<sup>xxxiii</sup>

***ius soli*. Please explain:**

Unconditional *ius soli*.

Persons born in Luxembourg before 19 April 1939 are considered Luxembourgish nationals.<sup>xxxiv</sup> Since the entry into force of the Nationality Law in 2017, each year on 1 January, the date relevant to this clause is incremented by one year.<sup>xxxv</sup>

Conditional *ius soli*.<sup>2</sup>

Minors are granted Luxembourgish nationality if they were born in Luxembourg:

- and they are not eligible for any other foreign nationality because their parents are stateless persons<sup>xxxvi</sup>; or
- and they are minors of non-Luxembourgish parents, provided that:
  - they are not eligible to obtain the nationality of either of their parents pursuant to the applicable foreign legislation<sup>xxxvii</sup>; or
  - the nationality or nationalities of either of their parents can only be passed on in the event of residence in the respective country of origin<sup>xxxviii</sup>; or
- the parents are legally unknown. Minors found on Luxembourg soil are presumed to have been born in the Grand Duchy, unless it can be proven otherwise.<sup>xxxix</sup>

Automatic double *ius soli*.<sup>3</sup>

Is Luxembourgish, a minor born in Luxembourg if one of the biological or adoptive parents was born in Luxembourg.<sup>xl</sup>

Conditional double *ius soli*.<sup>4</sup>

Mixed *ius soli* and *sanguinis*.

Other.

Luxembourgish nationality is granted to all children born in Luxembourg with non-Luxembourgish biological or non-Luxembourgish adoptive parents when they turn 18, provided that:

- their legal and usual place of residence was located in Luxembourg throughout the 5 consecutive years immediately preceding their 18th birthday<sup>xli</sup>; and
- one of their biological or adoptive parents had their legal and usual place of residence in Luxembourg throughout the 12 consecutive months immediately preceding their birth.<sup>xlii</sup> This second condition only applies to persons born after 1 July 2013.<sup>xliii</sup>

Furthermore, the Nationality Law foresees the case that Luxembourgish nationality is also established if it can be proven that a person enjoys this *de facto* status (“*possession d’état*”)<sup>xliv</sup>, i.e. where a person believes in good faith to be Luxembourgish and acts as such<sup>xlv</sup>, even though they are not.<sup>xlvi</sup> Evidence to the contrary is legally valid.<sup>xlvii</sup>

Status as a Luxembourgish national is acquired by the exercise of the rights that this status confers.<sup>xlviii</sup>

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<sup>2</sup> This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

<sup>3</sup> This means that children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country

<sup>4</sup> This means that children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

**Q7. How can third-country nationals acquire the citizenship of your Member State?** Please check all boxes that apply and briefly describe the main modalities. *Kindly note that the response should refer to the target group of the study only. This question links to Statistical Annex 1.2.*

The Luxembourgish Nationality Law foresees three modes through which a third-country national can acquire Luxembourgish nationality by procedural means: naturalisation, option or reclamation.<sup>xlix</sup> The three modes confer the beneficiary all the civil and political rights and obligations that are associated with being a Luxembourgish national.<sup>l</sup> These rights and obligations do not have any retroactive effect.<sup>li</sup>

The following will provide an overview of the three modes:

By ordinary naturalisation

Luxembourgish nationality can be acquired through naturalisation. Any third-country national who meets the objective conditions foreseen in the Nationality Law can apply for naturalisation. If these conditions are not met, the individual may be eligible to reclaim or opt for Luxembourgish nationality if s/he fulfils the requirements for one of these two modes (see below). The objective conditions that the individual has to fulfil in the context of ordinary naturalisation are:

- a. legal residence in Luxembourg for at least five years. The final year of residence immediately preceding the application must have been uninterrupted;<sup>lii</sup>
- b. sufficient knowledge of the Luxembourgish language which has to be evidenced by the Luxembourgish language certificate issued by the National Institute of Languages ('*Institut National des Langues*' - INLL) which proves that the holder has successfully passed the Luxembourgish language test<sup>liii</sup>;
- c. attendance of the "Living together in the Grand Duchy of Luxembourg" course or successful passing of the test covering the topics taught in this course<sup>liv</sup>;
- d. fulfilment of the condition of honourability (condition of good repute, see Q15 for more information).<sup>lv</sup>

By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme). *Please explain, briefly outlining the different types of special naturalisation available in your Member State:*

Luxembourgish nationality can also be granted to a third-country national by option. This a simplified and accelerated form of naturalisation. If the third-country national does not fulfil any of the conditions below, s/he can apply for ordinary naturalisation. As mentioned in the answer to Q3, the Nationality Law foresees 10 specific cases of options that grant Luxembourgish nationality, of which 9 apply to third-country nationals<sup>lvi</sup>:

1. to adults with a parent, adoptive parent<sup>lvii</sup> or grandparent<sup>lviii</sup> who is or was Luxembourgish;
2. to parents of a Luxembourgish minor<sup>lix</sup>;
3. in the event of marriage to a Luxembourgish national<sup>lx</sup>;
4. to persons over the age of 12 who were born in Luxembourg<sup>lxi</sup>;
5. to adults having completed 7 years of schooling in Luxembourg<sup>lxii</sup>;
6. to adults residing legally in Luxembourg for at least 20 years<sup>lxiii</sup>;
7. to adults having fulfilled the obligations arising from the Welcome and Integration Contract ('*Contrat d'accueil et d'intégration*'- CAI)<sup>lxiv</sup>;
8. to adults who settled in Luxembourg before the age of 18<sup>lxv</sup>;
9. to adults with statelessness, refugee or subsidiary protection status.<sup>lxvi</sup>

By declaration/notification

In Luxembourg, the simplified procedure ("option") described above is made through a procedure in which the civil registrar officer acts the declaration of the option.

- ☒ Other (e.g. reinstatement of former citizenship). *Please explain, briefly outlining any other modes of naturalisation not covered above:*

Another important pathway of acquiring Luxembourgish nationality is via the reclamation procedure. This procedure is open in the following cases:

- adults who have lost their status as Luxembourgish nationals<sup>lxvii</sup>;
- women who have lost their status as Luxembourgish nationals, without expressly requesting it, as a result of having acquired the nationality of their husband through marriage, or because their husband has acquired a nationality other than the Luxembourgish nationality<sup>lxviii</sup>;
- direct maternal or paternal descendants of an ancestor who held the Luxembourgish nationality on 1 January 1900, where the latter or one of their descendants lost this nationality.<sup>lxix</sup>

In the last case, there was a deadline (31 December 2018) to make the request before the Ministry of Justice for the issuance of a certificate confirming that they are a direct descendant of an ancestor who was Luxembourgish on 1 January 1900.<sup>lxx</sup> The individual that met the deadline has until the 31 December 2020 to sign, in the presence of a civil registrar, a declaration to reclaim Luxembourgish nationality.<sup>lxxi</sup> The procedure to reclaim Luxembourgish nationality does not require that the applicant resides or had ever resided in Luxembourg.

**Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?<sup>5</sup> This question links to Statistical Annex 1.2.**

In order to provide an accurate overview of the most common pathways for third-country nationals to acquire Luxembourgish nationality, it is important to highlight the following two points:

- The current Nationality Law is still quite recent, as it entered into force on 1 April 2017. As has been mentioned above, the simplified option procedures for specific categories of legal migrants did not exist under the abrogated Law of 23 October 2008.
- It is important to distinguish between the acquisitions of nationality by residents of Luxembourg and persons that are residing outside of Luxembourg, particularly in regard to the reclamation procedure for being a descendant of an ancestor who was a Luxembourgish on 1 January 1900.<sup>lxxii</sup> As mentioned above, the applicants for this procedure are not required to have a legal residence in Luxembourg.

This being said, the statistics in regard to the acquisition of nationality by procedural means<sup>lxxiii</sup>, and including all the pathways open to third-country nationals, for the period 2014 to 2018 included<sup>lxxiv</sup> (reporting period of the statistical annex) provide the following picture:

1. Despite the fact that they have only been introduced by the amended Law of 8 March 2017, the acquisition of nationality via the simplified option procedure (regrouping all the 10 specific cases) is the most common pathway through which third-country nationals have acquired Luxembourgish nationality, with 2,927 total acquisitions. Among the various options introduced in 2017, the following three specific cases resulted in most acquisitions by third-country nationals:
  - a. 1,445 total acquisitions foreseen for adults residing legally in Luxembourg for at least 20 years<sup>lxxv</sup> (304 in 2017<sup>lxxvi</sup> and 1,141 in 2018<sup>lxxvii</sup>);
  - b. 819 total acquisitions foreseen for persons over the age of 12 who were born in Luxembourg before 1 July 2013<sup>lxxviii</sup> (377 in 2017<sup>lxxix</sup> and 442 in 2018)<sup>lxxx</sup>;
  - c. 299 total acquisitions foreseen for adults having completed 7 years of schooling in Luxembourg<sup>lxxxi</sup> (93 in 2017<sup>lxxxii</sup> and 206 in 2018<sup>lxxxiii</sup>).
2. The second most common pathway between 2014 and 2018 has been the reclamation procedure (regrouping all three pathways mentioned in Q7 under 'Other'), with 2,775 total acquisitions. Direct descendants of an ancestor who held the Luxembourgish nationality on 1 January 1900<sup>lxxxiv</sup> account for 2,727 of these total acquisitions.
3. The third most common pathway was the ordinary naturalisation procedure, with 2,740 total acquisitions.

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<sup>5</sup> Please note that statistics on the number of third-country nationals who have acquired the citizenship of your country each year between 2014-2018, differentiated by the grounds of acquiring citizenship are requested in the Statistical Annex.

It should be noted here that the statistics regarding the reclamation procedure and the ordinary naturalisation are recently trending in opposite directions. The ordinary naturalisation was the most common pathway in 2014, 2015 and 2016 with a yearly increase. However, this trend started to reverse in 2017 with a decrease of the acquisitions via ordinary naturalisation and a significant uptake of the reclamation procedure by direct descendants of an ancestor who held the Luxembourgish nationality on 1 January 1900 (see statistical annex for more details).

A closer look at the most recent statistics since the entry into force of the new Nationality Law in 2017, and including the provisions of both Nationality Laws of 2008 and 2017, illustrates this trend more clearly. The statistics for 2017 and 2018 show that in particular the reclamation procedure for direct descendants of an ancestor who held the Luxembourgish nationality on 1 January 1900 increased significantly. In 2016, before the entry into force of the amended Law of 8 March 2017, 327 acquired Luxembourgish nationality via this procedure. In 2017, there were 688<sup>lxxxv</sup> Luxembourgish nationalities granted to third-country nationals through this procedure and in 2018, this number increased to 1.526.<sup>lxxxvi</sup> However, this situation will change in the future as the possibility to introduce an application to reclaim the nationality was closed on 1 January 2019. Nevertheless, in 2019 and 2020, the statistics regarding the acquisition of nationality will still include the reclamation procedure as the deadline to sign the declaration in person before a civil registrar office in Luxembourg is 31 December 2020 (see also Q7).

The ordinary naturalisation procedure, on the other hand, showed a steady decrease, with 654 total acquisitions in 2016 before the entry into force of the amended Law of 8 March 2017, 534<sup>lxxxvii</sup> acquisitions in 2017 and 327<sup>lxxxviii</sup> in 2018. The introduction of the 10 specific cases in regard to the simplified option procedure increased the spectrum of possible pathways for third-country nationals to acquire Luxembourgish nationality and could explain the decreasing use of the ordinary naturalisation procedure.

At the same time, as it was mentioned under point 2 above, it is important in this context to highlight the distinction between third-country nationals applying for Luxembourgish nationality that are residents of Luxembourg and those that are residing outside of the country. While the ordinary naturalisation as well as the two simplified option procedures mentioned above require a legal residence of at least five years (the last year must be uninterrupted) prior to the application/declaration, the reclamation procedure does not require any legal residence in Luxembourg at all. A look at the first nationality of the applicants illustrates the importance of this distinction.

In 2017 and 2018, Brazil and the United States constituted the two main countries of first nationality, but the administrative statistics show that the overwhelming majority of these applicants were residing outside of Luxembourg (see also statistical annex for 2018).<sup>lxxxix</sup> For example, for 2018, of the total 931 applicants having Brazilian nationality as their first nationality, 94,5% were residing outside of Luxembourg.<sup>xc</sup> Furthermore, of these 931 total acquisitions, 881 were acquisitions via the reclamation procedure.<sup>xc</sup> The acquisitions by persons having US nationality as their first nationality provide a similar picture. In 2018, from total 665 acquisitions of nationality (including all pathways), 92% of the applicants were residing abroad. Furthermore, of these 665 total acquisitions, 598 were acquisitions via the reclamation procedure.<sup>xcii</sup>

In contrast, in 2017 and 2018, applicants of the next most represented first nationalities are almost exclusively residents of Luxembourg:

*Table 1: Proportion of residents acquiring Luxembourgish nationality in 2017 and 2018, having as first nationality either Montenegrin, Bosnian/Herzegovinian, Serbian, Cape Verdean and Kosovar nationality*

<b>First nationality</b>	<b>Proportion of residents in 2017 (%)</b>	<b>Proportion of residents in 2018 (%)</b>
Montenegrin	100	99.8
Bosnian/Herzegovinian	100	99.7
Serbian	100	100
Cap Verdean	100	100
Kosovar	100	99.2

Sources: Ministry of Justice, Statec, 2017 and 2018

The statistics for 2017 and 2018 further illustrate that applicants of the abovementioned countries are in large majority applying for either the simplified option foreseen for adults residing legally in Luxembourg for at least 20 years or for persons over the age of 12 who were born in Luxembourg before 1 July 2013.

## Section 2: Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

**In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of your Member State?** Please provide a brief overview of the conditions and requirements. Further details are to be provided in the subsequent questions.

The third-country national is eligible to apply Luxembourgish nationality through ordinary naturalisation after a legal effective residence in Luxembourg of at least 5 years, of which the last year immediately prior to the application must be uninterrupted. The period of residence can be interrupted by absences of less than six months, as these are not considered as interrupting the legal residence in the country and therefore do not have any effect on the validity of the residence permit. This requirement applies for all applicants, independent of the residence permit that s/he holds.

The candidate also has to prove her/his knowledge of the Luxembourgish language. A spoken test (A2 level required) and a listening test (B1 level) have to be passed, with the candidate having to attend both tests.

Furthermore, s/he is required to join to her/his application the certificate "Living together in the Grand Duchy of Luxembourg" (*Vivre ensemble au Grand-Duché de Luxembourg*), which constitutes a citizenship course. In order to obtain this certificate, s/he has the choice either to attend the 24 hours course (taught in course-units of two hours) entitled "Living together in the Grand Duchy of Luxembourg" or to pass the test covering the topics taught in this course without having attended it.

In addition, the candidate has to provide proof of good conduct by joining: a) the Luxembourg criminal record (bulletin n° 2); b) copies of her/his criminal record or a similar document from the country or countries of which s/he holds or held the nationality and from the country or countries where s/he has resided from the age of 18 during the 15 years immediately preceding the application for naturalisation.

The economic and housing situation of the candidate is not taken into account, and s/he is not required to legally or symbolically commit to certain values or norms, nor to formally pledge to allegiance to the country.

This section closes by providing an overview of the conditions and requirements that have to be fulfilled in order to apply for Luxembourgish nationality through the simplified option procedure. In the context of this procedure, the conditions that have to be fulfilled depend on the respective specific option, with some options requiring the same conditions as described above for ordinary naturalisation while others exempt the candidate from certain conditions.

*Please note that the questions below only refer to cases when the primary grounds of acquisition of citizenship is through ordinary naturalisation (i.e. the legal process whereby a third-country national who is legally present on the territory of a Member State may acquire citizenship of an EU Member State. A new migrant is described as a third country national who does not have a pre-existing historical tie with the Member State (ethnic, family, historical). The conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country are not covered.*

## **Section 2.1 Eligibility**

### **Period of residence**

#### **Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of your Member State?**

The third-country national has to legally reside in Luxembourg for the last five years preceding the application. The final year of residence preceding the application must have been uninterrupted.<sup>xciii</sup>

**Q9a:** Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in the Member State also counted?

Legal residence required

The law requires that the individual has her/his usual residence on the territory and that s/he has a regular stay. The concept of habitual residence is taken from the amended Law of 19 June 2013 on the identification of physical persons, which considers that the usual residence is where the individual continuously and really resides on the territory.<sup>xciv</sup> The concept of regular stay is established by the Immigration Law<sup>xcv</sup> and consists in the fact that the third-country national holds one of the authorisations of stay foreseen in the Immigration Law.<sup>xcvi</sup>

**Q9b:** Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

Yes, physical presence necessary.

See explanation give under Q9a above.

**Q9c:** What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met?

For the sake of administrative simplification, the new Nationality Law no longer requires the certificate of residence issued by the municipality where the third-country national lives<sup>xcvii</sup>, because the data on the usual residence on the Luxembourg territory is taken from the National Registrar of Physical Persons as well as from the municipal registrar of physical persons.<sup>xcviii</sup>

**Q9d:** Can the period of residence be interrupted? If yes, how long can this interruption last?

Yes.

Firstly, it is important to state that in Luxembourg, the period of residence can be interrupted by absences of less than six months, as these are not considered as interrupting the legal residence in the country and therefore do not have any effect on the validity of the residence permit.

For any absence abroad of more than six months, the third-country national has to notify the municipality and declare her/his departure and must render the residence permit to the Ministry in charge of immigration.<sup>xcix</sup>

Furthermore, with the new Nationality Law, the legislator considered that interruptions because of periods passed abroad by the applicant should no longer be an obstacle for the naturalisation in the sense that these absences will not reset the counters to zero.<sup>c</sup> Only the last year before the filing of the application has to be uninterrupted.<sup>ci</sup>

### **Pre-existing legal residence status**

#### **Q10. What pre-existing legal residence status of the citizenship applicant is accepted?**

*Please also indicate for how long each of the given legal statuses has to be held in order for the third-country national to be able to acquire the citizenship of your country. For temporary permits, please indicate to what extent the number of years the third-country national possesses such a permit count towards being granted access to citizenship.*

In general, the applicant is required to justify 5 years of legal residence in the country regardless of the type of residence permit that s/he holds.

Permanent residence permit. *Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition: 5 years*

Refugee status. *Number of years: 5 years*

However, instead of applying for ordinary naturalisation, persons with refugee status benefit from the simplified and accelerated 'option' procedure stipulated in Article 31 of the amended Law of 8 March 2017 (see also Q7).

Temporary residence permit. *Number of years: 5 years*

This applies, for example, to holders of a residence permit as a researcher or a student.

Other protection statuses. *Number of years: 5 years*

This applies to beneficiaries of subsidiary protection status (see also Q7). However, instead of applying for ordinary naturalisation, persons with subsidiary protection status benefit from the simplified and accelerated 'option' procedure stipulated in Article 31 of the amended Law of 8 March 2017 (see also Q7).

Other status: 5 years

This applies for example to persons with stateless status. However, instead of applying for ordinary naturalisation, persons with stateless status benefit from the simplified and accelerated 'option' procedure stipulated in Article 31 of the amended Law of 8 March 2017 (see also Q7).

## **Section 2.2 Conditions**

### **Language**

**Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?<sup>6</sup>**

Yes.

The third-country national has to prove her/his knowledge of the Luxembourgish language. A spoken test (A2 level required<sup>cii</sup>) and a listening test (B1 level<sup>ciii</sup>) have to be passed. The third-country national has to attend both tests.<sup>civ</sup>

The spoken test consists of two parts, namely 1) an interview with the examiner and 2) a description of a visual aid.<sup>cv</sup> The listening test consists of three audio tracks: 1) a radio news item; 2) an everyday conversation or dialogue; 3) a track on a specific topic.<sup>cvi</sup> After listening to each track twice, the applicant has to provide answers to a questionnaire that contains binary- or multiple-choice questions.<sup>cvi</sup>

The Minister of Justice may, upon reasoned request, exempt a person from taking the Luxembourgish language test if her/his physical or psychological health prevents him/her from learning the language.<sup>cvi</sup>

**Q11a.** If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)?

Two examiners of the National Institute for Languages conduct the oral production test by assessing the candidate separately according to the following criteria: vocabulary; use of basic grammatical structures; fluidity; clarity; task fulfilment; coherence; ability to be understood; interaction.<sup>cix</sup> As for the listening comprehension test, two examiners correct the candidates answer sheets based on a marking grid.<sup>cx</sup>

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<sup>6</sup> Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)



In order to pass the language test, candidates are required to achieve a score of at least 50% on the spoken test.<sup>cxii</sup> In the event of an insufficient score, the final mark can be compensated by the mark of the listening test.<sup>cxiii</sup>

As this is an official language test, the third-country national has to join to her/his application the Luxembourgish language test pass certificate issued by the National Institute for Languages<sup>cxiii</sup>, which is under the auspices of the Ministry of National Education, Children and the Youth.

**Q11b.** If your Member State uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)?

Yes.

The University of Luxembourg conducted psychometric analyses of the language test in 2010, 2012 and 2017. Based on these analyses, some elements of the language test were either modified or taken out of the test. The next analyses will be conducted in 2020.<sup>cxiv</sup> However, these analyses do not allow to evaluate if the test led to better knowledge of the Luxembourgish language.

### **Citizenship tests and commitments**

**Q12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds?** *Please note that this could also include oral interviews.*

Yes<sup>cxv</sup>

Applicants for Luxembourgish nationality are required to join to their application the certificate "Living together in the Grand Duchy of Luxembourg" (*Vivre ensemble au Grand-Duché de Luxembourg*), which constitutes a citizenship course. In order to obtain this certificate, they have the choice either to attend the 24 hours course (taught in course-units of two hours) entitled "Living together in the Grand Duchy of Luxembourg" or to pass the test covering the topics taught in this course without having attended it.<sup>cxvi</sup>

The course<sup>cxvii</sup> and the test<sup>cxviii</sup> consist of three different modules:

- 1) Fundamental rights of citizens (6 hours);
- 2) State and local institutions of the Grand Duchy of Luxembourg (12 hours);
- 3) History of the Grand Duchy of Luxembourg and European integration (6 hours).

Applicants need to register for the course or the test online<sup>cxix</sup> where they will also find the reference document in case they only want to take the test.

The test contains 40 binary- or multiple-choice questions covering the three modules, of which the applicant needs to answer 28 questions correctly.<sup>cxx</sup>

The Department of Adult Education of the Ministry of National Education, Children and the Youth is the responsible authority for the organisation of the course as well as of the test.<sup>cxxi</sup>

The Minister of Justice may, upon reasoned request, exempt a person from taking the course and the test if her/his physical or psychological health prevents him/her from acquiring the knowledge taught in that course.<sup>cxxii</sup>

**Q12a.** If yes, has the citizenship test ever been evaluated?

No.

No formal/external evaluation has been conducted of the "Living together in the Grand Duchy of Luxembourg" course or test. However, the programme of the course as well as the questions of the test have been elaborated by the Department of Adult Education of the Ministry of National Education,

Children and the Youth in collaboration with the course instructors. Furthermore, they are internally monitored and, if necessary, updated on a regular basis.<sup>cxxiii</sup>

At the time of reporting, an internal general survey was being prepared by the Department of Adult Education on the levels of satisfaction concerning all the services offered by the department, including the "Living together in the Grand-Duchy of Luxembourg" course programme and test.<sup>cxxiv</sup>

**Q13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones?**

No.

The applicant is not required to legally or symbolically commit to certain values or norms. Instead, s/he has either to follow the course or pass the test of "Living Together in the Grand Duchy of Luxembourg", which also contain information on human rights and democracy (see Q12).

**Q14. Are applicants required to pledge formally allegiance to your Member State (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds? Please explain the differences.**

No.

Furthermore, in the answer to a recent parliamentary question, the Government noted that there are currently no plans to introduce a formal pledge of allegiance in Luxembourg.<sup>cxxv</sup>

### **Good conduct**

**Q15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?**

Yes.

In Luxembourg, the law requires that the candidate must fulfil the conditions of honourability (good repute). More specifically, the law establishes that the Minister of Justice refuses the naturalisation when the candidate:

- a) has made false statements, concealed important information or acted fraudulently during the naturalisation procedure;<sup>cxxvi</sup> or
- b) has been convicted in the Grand Duchy of Luxembourg or abroad to:
  - a criminal sentence or a custodial sentence of 12 months or more; or
  - a suspended sentence of at least 24 months.<sup>cxxvii</sup>

The facts underlying a foreign conviction must also constitute a criminal offence under Luxembourg law and, if applicable and except in the case of rehabilitation, the sentence must have been definitively served less than 15 years before the naturalisation application.<sup>cxxviii</sup>

**Q15a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

The applicant has to expressly authorise the Minister of Justice to request the Luxembourg criminal record (bulletin n° 2).<sup>cxxix</sup> With this authorisation, the Minister of Justice requests this criminal record to the competent service at the Public Prosecutor Office.<sup>cxxx</sup>

Furthermore, the applicant must provide a copy of her/his criminal record or a similar document from the country or countries of which s/he holds or held the nationality and from the country or countries where s/he has resided from the age of 18 during the 15 years immediately preceding the application for naturalisation.<sup>cxxxi</sup> This criminal record has to be less than 6 months old and it has to be translated into English, French, German or Luxembourgish if it is not in any of those languages.<sup>cxxxii</sup>

## **Economic resources**

**Q16. Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds? Please explain the differences.**

No.

**Q16a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

N/A

**Q17. Is the third-country national's housing situation taken into account?**

No.

**Q17a:** If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

N/A

## **Others**

**Q18. Are there any other requirements not listed above?**

No.

## **Section 2.3 Security**

**Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?**

Yes.

As mentioned in the answer of Q15, the applicant must fulfil the conditions of honourability (good repute) by providing his or her criminal record(s).<sup>cxxxiii</sup>

Furthermore, it should be mentioned that if a third-country national is a threat to national security, her/his residence permit will already have been revoked at this stage. In any case, the Nationality Law allows the Minister to demand the production of additional documents if s/he considers that the documents joined to the application are considered insufficient or do not prove that the legal conditions have been met.<sup>cxxxiv</sup>

Other than the provisions mentioned above, there are no further specific exclusion criteria as the decisions are taken in strict application of the law.<sup>cxxxv</sup>

## **Section 2.4 Specific groups of third-country nationals**

**Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below. For each group, please briefly explain the main differences that apply:**

- a. Refugees
- b. Other beneficiaries of international protection statuses
- c. Specific categories of legal migrants
- d. Other groups that are significantly represented in your Member State, incl. stateless persons

The Nationality Law foresees a simplified procedure (refer to as "option") for different groups of individuals who are legal residents in Luxembourg (see Q7). The procedure for the options is as follows:

The application has to be filed in person before the civil registrar of the municipality where the applicant usually resides.<sup>cxxxvi</sup> The required documents, common to all types of options, which have to be joined to the declaration of option, are the following:

- a full copy of the applicants' birth certificate and, if necessary, that of their children under 18;<sup>cxxxvii</sup>
- a copy of a valid passport and, where appropriate, that of their children aged under 18;<sup>cxxxviii</sup>
- precise biographical details signed by the applicant or their legal representative;<sup>cxxxix</sup>
- the authorisation for the civil registrar officer to request the criminal record (bulletin n° 2) before the competent service of the Public Prosecutor Office;<sup>cxl</sup>
- criminal record certificates or similar documents issued by the competent foreign authorities:
  - o in the foreign country or countries of which the applicant is or was a national;
  - o in the foreign country or countries in which the applicant has resided from the age of 18 during the 15 years immediately preceding the submission of the application;<sup>cxli</sup>
- if applicable, authorisation of the judge supervising guardianship to initiate the option procedure;<sup>cxlii</sup>
- if applicable, the decision of the Minister granting an exemption to submit any of the required documents.<sup>cxliii</sup> This exemption can be obtained upon reasoned request from the Minister of Justice, who has sole authority to grant it.<sup>cxliv</sup>
- depending on the type of option, other parts may be required if necessary.

The applicant may be accompanied by a person of their choice. The declaration of the option must be signed by the applicant or their representative (it cannot be signed by proxy<sup>cxlv</sup>).

If the legal conditions are met and if the application contains all the necessary documentation, the civil registrar will record the option declaration and transfer the file to the Nationality Office of the Ministry of Justice.<sup>cxlvi</sup>

If the application submitted is incomplete, the civil registrar will request that the applicant produces the missing documents.<sup>cxlvii</sup> If the documents are not submitted within a period of three months, the application will not be considered.<sup>cxlviii</sup>

The civil registrar can refuse to register the declaration.<sup>cxlix</sup> In this case, an appeal against this decision can be made to the Minister of Justice within one month of notification of this refusal. If the appeal is rejected by the Minister, a reversal on appeal may be petitioned before the First instance administrative court.<sup>cl</sup>

#### **Q20a. Refugees**

Adults who have stateless person status, refugee status or subsidiary protection status can apply for Luxembourgish nationality via option, provided that:

- a. they have legally resided in Luxembourg for at least 5 years. The final year of residence immediately preceding the option declaration must have been uninterrupted.<sup>cli</sup> However, in order to count the five years, the period between submission of the application for international protection or the application for recognition as a stateless person and the granting of refugee status, subsidiary protection status or stateless person status is deemed a period of usual and lawful residence.<sup>clii</sup>
- b. they have knowledge of the Luxembourgish language, as evidenced by a Luxembourgish language test pass certificate<sup>cliii</sup>;
- c. they have taken the "Living together in the Grand Duchy of Luxembourg" course or passed the test covering the topics taught in this course.<sup>cliv</sup>

#### **Q20b. Other beneficiaries of international protection statuses**

See answer Q20a.<sup>clv</sup>

**Q20c.** Specific categories of legal migrants e.g. people with disabilities or people in old age.

Apart from persons with stateless person status, refugee status or subsidiary protection status, the Nationality Law foresees the simplified option procedures for the following categories of legal migrants (see also Q7):

- to adults with a parent, adoptive parent or grandparent who is or was Luxembourgish;
- to parents of a Luxembourgish minor;
- in the event of marriage to a Luxembourgish national;
- to persons over the age of 12 who were born in Luxembourg;
- to adults having completed 7 years of schooling in Luxembourg;
- to adults residing legally in Luxembourg for at least 20 years;
- to adults having fulfilled the obligations arising from the Welcome and Integration Contract ('*Contrat d'accueil et d'intégration*');
- to adults who settled in Luxembourg before the age of 18.

In these cases, there are several differences compared to the ordinary naturalisation procedure with regard to the conditions as well as the documents that need to be joined to the declaration of option, as additional documents to those listed in Q20 above need to be provided. The following will provide an overview of these differences according to the category of legal migrants:

1. adults with a parent, adoptive parent<sup>clvi</sup> or grandparent<sup>clvii</sup> who is or was Luxembourgish

A third-country national fulfilling this condition does not need to provide any proof of legal residence in Luxembourg, nor is s/he required to pass the Luxembourgish language test or to attend/pass the "Living together in the Grand Duchy of Luxembourg" course/test.

Furthermore, the applicant must also join to the declaration of option the following additional documents:

- a. a full copy of the birth certificate of the parent, grand parent or of the adopter<sup>clviii</sup>;
- b. a certificate of Luxembourgish nationality of the parent, grand-parent or of the adopter.<sup>clix</sup>

2. parents of a Luxembourgish minor<sup>clx</sup>

A third-country national fulfilling this condition needs to fulfil the same condition regarding the legal residence as for the ordinary naturalisation procedure (5 years of legal residence, the last one uninterrupted), the passing of the Luxembourgish language test and the attendance/passing of the "Living together in the Grand Duchy of Luxembourg" course/test.

Furthermore, the applicant must also join to the declaration of option the following additional document:

- a. a certificate of Luxembourgish nationality of the child<sup>clxi</sup>;
- b. the Luxembourgish language test pass certificate<sup>clxii</sup>;
- c. a certificate proving the participation to the course "Living together in the Grand Duchy of Luxembourg" or proving the approval of the test<sup>clxiii</sup>.

3. in the event of marriage to a Luxembourgish national<sup>clxiv</sup>

A third-country national fulfilling this condition needs to fulfil the same conditions as described above regarding the passing of the Luxembourgish language test and the attendance/passing of the "Living together in the Grand Duchy of Luxembourg" course/test. In the absence of habitual residence in the Luxembourg, the option is only admissible after three years of marriage immediately prior to the declaration of option.<sup>clxv</sup>

Furthermore, the applicant must also join to the declaration of option the following additional documents:

- a. a full copy of the marriage certificate<sup>clxvi</sup>;

- b. a certificate of Luxembourgish nationality of the spouse<sup>clxvii</sup>;
- c. the Luxembourgish language test pass certificate<sup>clxviii</sup>;
- d. a certificate proving the participation to the course "Living together in the Grand Duchy of Luxembourg" or proving the approval of the test<sup>clxix</sup>;
- e. if applicable, a certificate proving the exercise by the spouse abroad of a function conferred by a Luxembourgish public authority or by an international organization.<sup>clxx</sup>

4. persons over the age of 12 who were born in Luxembourg<sup>clxxi</sup>

A third-country national fulfilling this condition has to proof a legal residence of 5 consecutive years immediately prior to the declaration of option. In addition, one of her/his non-Luxembourgish parent or adoptive parent must have legally resided in Luxembourg for at least 12 consecutive months immediately prior to their birth (see also Q6). This second condition does not apply to candidates born before 1 July 2013.<sup>clxxii</sup>

S/he is not required to pass the Luxembourgish language test or to attend/pass the "Living together in the Grand Duchy of Luxembourg" course/test.

5. adults having completed 7 years of schooling in Luxembourg<sup>clxxiii</sup>

A third-country national fulfilling this condition is not required to pass the Luxembourgish language test or to attend/pass the "Living together in the Grand Duchy of Luxembourg" course/test. However, s/he is required to have a legal residence of at least one uninterrupted year immediately prior to the declaration of option. In this case, the school report cards or any certificate issued by the competent authority have to be joined to the declaration of option.<sup>clxxiv</sup>

6. adults residing legally in Luxembourg for at least 20 years<sup>clxxv</sup>

A third-country national fulfilling this condition is not required to pass the Luxembourgish language test or to attend/pass the "Living together in the Grand Duchy of Luxembourg" course/test. S/he only has to provide a certificate proving the participation to a 24 hours Luxembourgish language course.<sup>clxxvi</sup> The last year of residence immediately prior to the declaration of option has to be uninterrupted.

7. adults having fulfilled the obligations arising from the Welcome and Integration Contract ('*Contrat d'accueil et d'intégration*')<sup>clxxvii</sup>

A third-country national fulfilling this condition needs to fulfil the same condition regarding the legal residence as for the ordinary naturalisation procedure (5 years of legal residence, the last one uninterrupted) and the passing of the Luxembourgish language test. However, there is a difference regarding the "Living together in the Grand Duchy of Luxembourg" course. As mentioned in Q12, s/he will be exempted from the module "History of the Grand Duchy of Luxembourg and European integration" if s/he decides to attend the course (automatic recognition, no procedure needs to be carried out). However, if the application decides to only take the test, s/he will not be exempted from the aforementioned module.<sup>clxxviii</sup> As mentioned above, the test will cover all three modules.

Furthermore, the applicant must also join to the declaration of option the following additional documents:

- a. a certificate proving that the candidate has fulfilled all his obligations resulting from the Welcome and Integration Contract;<sup>clxxix</sup>
- b. the Luxembourgish language test pass certificate<sup>clxxx</sup>;
- c. a certificate proving the participation to the course "Living together in the Grand Duchy of Luxembourg" or proving the approval of the test.<sup>clxxxi</sup>

8. adults settled in Luxembourg before the age of 18<sup>clxxxii</sup>

A third-country national fulfilling this condition needs to fulfil the same conditions regarding the legal residence as for the ordinary naturalisation procedure (5 years of legal residence, the last one uninterrupted), the passing of the Luxembourgish language test and the attendance/passing of the "Living together in the Grand Duchy of Luxembourg" course/test.

Furthermore, the applicant must also join to the declaration of option the following additional documents:

- a. the Luxembourgish language test pass certificate<sup>clxxxiii</sup>;
- b. a certificate proving the participation to the course "Living together in the Grand Duchy of Luxembourg" or proving the approval of the test.<sup>clxxxiv</sup>

**Q20d.** Other groups that are **significantly represented** in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

See Q20c.

### Section 3: Procedural aspects for the acquisition of citizenship in the Member State

*Please note that, consistent with Section 2, the questions below again only refer to cases when the primary grounds of acquisition of citizenship is through naturalisation based on a minimum period of residence in the country (i.e. 'ordinary naturalisation', not the conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country).*

**Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation.**

Applications for naturalisation are to be made in person to the civil registrar of the municipality of the applicant's usual place of residence. They may be accompanied by a person of their choice. The naturalisation application must be signed by the applicant or their legal representative; a signature by proxy is not permitted.

If the legal conditions are met and the application contains all the necessary documentation, the civil registrar will record the naturalisation application. They will then send the file to the Ministry of Justice directly and without delay.

If the submitted application is incomplete, the civil registrar will request that the applicant produces the missing documents within a deadline of 3 months. If the applicant does not meet this request, the naturalisation application will not be registered.<sup>clxxxv</sup>

**Q21a. Are children automatically naturalised once their parents are granted citizenship?**

Yes (see also Q6).<sup>clxxxvi</sup>

**Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of your Member State?**

*Please mention and describe their roles at each step of the process in order to identify the authorities by which the application is introduced and those taking the decisions.*

1. Civil registrar of the municipality where the candidate resides

The officer of the civil registry is responsible to receive and register the application for ordinary naturalisation with all the joined documents<sup>clxxxvii</sup> and to review if the file is complete (see also Q21 above).<sup>clxxxviii</sup> If the application is incomplete, the registrar officer will request the candidate to produce the missing documents within a deadline of 3 months. If the candidate does not produce the documents, the naturalisation application will not be registered.<sup>clxxxix</sup> If the file is completed, the registrar officer transfers the file to the Nationality Office of the Minister of Justice.<sup>cx</sup> The civil registrar is also responsible for the notification of the decision of the Minister.<sup>cxci</sup>

2. Nationality Office of the Ministry of Justice

The Nationality Office of the Ministry of Justice is in charge of examining the application of the candidate and may request additional documents to be provided if it considers that the documents submitted by the applicant are insufficient or do not prove that the legal conditions have been met.

3. Minister of Justice

The Minister of Justice is the responsible authority for the final decision on the application based on the objective criteria set out in the Nationality Law. This final decision will be issued as a ministerial order ('*arrêté ministériel*') to the civil registrar officer who will notify the applicant. Furthermore, the Minister of Justice, duly authorised, requests the Luxembourg criminal record (bulletin n°2) to the competent service at the Public Prosecutor Office.<sup>cxcii</sup>

4. Public Prosecutor's Office

The Public Prosecutor's Office is in charge of the Luxembourg Criminal Record (bulletin n° 2) and conducts, at the request of the Minister of Justice, an investigation on the existence of an ongoing criminal procedure against the candidate and on the nature of the infractions against him/her.<sup>ccxiii</sup>

**Q23. Are these procedures digitised? Can applications for citizenship be made online?**

No

**Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)?**

In addition to the evidence reported in Q11a and Q12, the applicants must join the following documents to their naturalisation application:

- a full copy of the applicants' birth certificate and, if necessary, that of their children under 18;<sup>ccxiv</sup>
- a copy of a valid passport and, where appropriate, that of their children aged under 18;<sup>ccv</sup>
- precise biographical details signed by the applicant or their legal representative;<sup>ccvii</sup>
- the authorisation for the civil registrar officer to request the criminal record (bulletin n° 2) before the competent service of the Public Prosecutor Office;<sup>ccviii</sup>
- criminal record certificates or similar documents issued by the competent foreign authorities:
  - o in the foreign country or countries of which the applicant is or was a national;
  - o in the foreign country or countries in which the applicant has resided from the age of 18 during the 15 years immediately preceding the submission of the application.<sup>ccviii</sup>
- if applicable, authorisation of the judge supervising guardianship to initiate the naturalisation procedure;<sup>ccix</sup>
- if applicable, the decision of the Minister granting an exemption to submit any of the required documents.<sup>cc</sup> This exemption can be obtained upon reasoned request from the Minister of Justice, who has sole authority to grant it.<sup>cci</sup>

**Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?**

The Nationality Law stipulates that the maximum time period for the ordinary naturalisation procedure is 8 months from the moment the Minister of Justice receives the file from the registrar officer of the municipality of the applicant.<sup>ccii</sup> The Ministry of Justice reported that, in practice, the procedure takes between 6 and 7 months if the application file is complete.<sup>cciii</sup>

There are no maximum time periods for the different stages of the procedure and there is no fast-tracked procedure in place.<sup>cciv</sup> However, applicants can introduce a written request providing justified reasons for a prioritised treatment.<sup>ccv</sup>

**Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds.**

There are no costs for the application for citizenship. The naturalisation procedure in itself is free of charge.<sup>ccvi</sup>

There is no registration fee for the "Living together in the Grand Duchy of Luxembourg" course or test (see Q12 for the details).<sup>ccvii</sup> However, there is a registration fee for the Luxembourgish language test of 75€.<sup>ccviii</sup>

Nevertheless, the candidate can be reimbursed, upon request and under certain conditions, for the registration fees of the Luxembourgish language test<sup>ccix</sup> or the Luxembourgish language courses organised by the National Institute for Languages or another provider duly approved by the Ministry of National Education, Children and the Youth.<sup>ccx</sup> A total amount of up to 750€ can be reimbursed for language courses<sup>ccxi</sup>, with the exception of candidates with special learning needs. In the latter case, the person may be reimbursed for up to 1.500€.<sup>ccxii</sup>



**Q27. Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?**

No. In principle, a final decision on the application for naturalisation will only be taken after the application containing all the legally required documents mentioned in Q24 is submitted to the civil registrar officer. However, as already mentioned above, the Ministry of Justice may request that additional documents be provided if it considers that the documents submitted by the applicant are insufficient or do not prove that the legal conditions have been met.

**Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?<sup>7</sup>**

The discretionary power of the Minister of Justice is very limited in the framework of the ordinary naturalisation procedure as the final decision is based on objective criteria set by the Nationality Law (see above).<sup>ccxiii</sup>

**Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants?**

No particular challenges have been reported in this regard. The third-country national applicant of an ordinary naturalisation was already identified by the Luxembourgish authorities, as s/he must be in the possession of a valid residence permit or a residence permit for family members (in case the applicant is a family member of an EU/EEA citizen) for the last 5 years.

Furthermore, it needs to be stressed again that the applicant of an ordinary naturalisation procedure needs to present him- or herself in person before the civil registrar of the municipality where s/he resides, meaning that the civil registrar does an immediate verification of the identity of the applicant when the application gets registered (see also Q22).<sup>ccxiv</sup>

**Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?**

Yes.

The decision taken by the Minister of Justice rejecting the application has to be motivated and notified to the applicant indicating that the decision can be appealed and before which court the appeal must be filed. The refusal decision can be subject to a reversal appeal before the First instance Administrative Court.<sup>ccv</sup> The deadline for introducing this appeal is of three months since the date of notification of the decision made by the municipality. If the decision of the First instance Administrative Court is negative, the applicant can file an appeal before the Administrative Court in a deadline of 40 days after the notification of the decision of the First instance Administrative Court.<sup>ccvii</sup>

**Q31. What are the most common grounds for a negative citizenship application decision? If possible, please list the top 5 reasons.** Grounds could include insufficient language skills, insufficient period of residence, criminal record, unestablished identity.

The Ministry of Justice reported that, in general, there are very few cases of negative naturalisation application decisions.<sup>ccvii</sup>

This being said, the Ministry reported that the most common ground for a negative application decision is an incomplete application file. Grounds for an incomplete file can be, for example, a missing copy of the

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<sup>7</sup> Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

valid passport, the biographical note that is not filled out correctly or one or several foreign criminal records that are missing from the file.<sup>ccxviii</sup>

Further reported grounds for a negative naturalisation application decision are an insufficient period of residence of the applicant, the fact that the application does not fulfil the requirements regarding good conduct (see also Q15) and a missing or outdated residence permit.<sup>ccxix</sup>

**Q32. Does your Member State organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?**

No.

Furthermore, in the answer to a recent parliamentary question, the Government noted that there are currently no plans to introduce such a ceremony by the State.<sup>ccxx</sup> The Government further noted that since the implementation of the amended Law of 8 March 2017, citizenship is no longer solely a competence of the State. The legislator has assigned part of the competences in the matter to the municipalities, as the municipalities are responsible for registering all the applications for the various pathways of acquiring Luxembourgish nationality (see also Q22).<sup>ccxxi</sup> In other words, since the municipalities are the main contact for the people wanting to acquire Luxembourgish nationality, it is up to the municipalities to decide if they want to organise a welcoming gesture, and some municipalities do organise such a gesture, be it in the form of a letter or a reception for new Luxembourgish citizens.<sup>ccxxii</sup>

**Support provided during the application process**

**Q33. Does your Member State provide information and/ or encourages third-country nationals to consider applying for citizenship?**

Yes.

There is no explicit encouragement of third-country nationals to consider applying for Luxembourgish nationality. However, Luxembourg provides information on the legal procedures for the acquisition of Luxembourgish nationality through various different channels (see Q34 below for more information).

**Q34. Is governmental support provided to applicants during the application process?<sup>8</sup> Have any good practices been identified in your Member State?**

Yes

Information is provided through the following official channels:

- Official website of the Luxembourgish state<sup>ccxxiii</sup>
- Official website of the Luxembourgish government<sup>ccxxiv</sup>
- Official website of the Ministry of Justice (in French)<sup>ccxxv</sup> and the Nationality Office of the Ministry of Justice (in French)<sup>ccxxvi</sup>
- Nationality infoline<sup>ccxxvii</sup>
  - o toll-free number from within Luxembourg: 8002 1000
  - o call from abroad (subject to charges): +352 247 88588

Furthermore, the Ministry of Justice produced a flyer entitled 'Law on Luxembourgish Nationality – Key points', which is available online in French, German and English<sup>ccxxviii</sup> and which is also provided to the municipalities to inform the residents about the modalities of the different pathways to nationality.<sup>ccxxix</sup>

Although there is no explicit encouragement of third-country nationals to consider acquiring Luxembourgish nationality, several of the conditions reported in this study may be considered as being favourable for the acquisition of Luxembourgish nationality, such as the availability of the required forms for download on the website of the Luxembourgish government and the Ministry of Justice (see above), the free of charge application procedure for all modes of acquisition of citizenship, the free of charge "Living

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<sup>8</sup> For the purpose of this study, only support under the control of the state should be included here (e.g. websites, telephone hotline), i.e. support by NGOs or private service providers is excluded unless contracted by the state.

together in the Grand Duchy of Luxembourg” course and test as well as the possibility of reimbursement of the Luxembourgish language courses or the test.

**Q35. Does your Member State organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law.**

Yes

Overall, the Government stipulated in its coalition agreement to increase the offer of Luxembourgish language courses and to adapt the Welcome and Integration Contract (*‘Contrat d’accueil et d’intégration’*).<sup>ccxxx</sup> Every non-Luxembourgish resident (EU-citizen or third-country national), who is at least 16 years of age, resides legally on the territory of Luxembourg and wishes to stay on a permanent basis may voluntarily sign the so-called Welcome and Integration Contract.<sup>ccxxxi</sup> This voluntary integration measure had been introduced by the amended Law of 16 December 2008<sup>ccxxxii</sup> (‘Integration Law’) and is implemented by the Luxembourg Reception and Integration Agency (*‘Office luxembourgeois de l’accueil et de l’intégration’*) under the responsibility of the Ministry of Family and Integration.<sup>ccxxxiii</sup> Despite the fact that the objective of this measure is not directly linked to the acquisition of nationality, the component of the contract relating to language and civic orientation courses may nevertheless facilitate the acquisition of the Luxembourgish nationality. As elaborated on in sections 2 and 3, applicants that have fulfilled the obligations arising from the contract are eligible for the simplified option procedure and are exempted from one of the modules of the “Living together in the Grand Duchy of Luxembourg” course. Furthermore, as previously mentioned, the applicants of Luxembourgish nationality can be reimbursed for the Luxembourgish language courses and the test (see Q26).

## Section 4: Dual citizenship

**Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in your Member State? This question links to Statistical Annex 1.4. If your answer is ‘no’ (i.e. dual citizenship is possible), kindly provide national data on dual citizenship as requested.**

No.

Luxembourg does not require that the third-country national renounces to her/his nationality of origin. The principle of multiple nationalities was already introduced by the abrogated Law of 23 October 2008 on Luxembourgish nationality and which entered into force on 1 January 2009.<sup>ccxxxiv</sup> The third-country national can hold dual or multiple nationalities, but is considered as a Luxembourgish national by the Luxembourgish public authorities, independent of her/his other nationality or nationalities.<sup>ccxxxv</sup>

**Q37. Is the requirement to renounce dependent on the person’s other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship?**

No, as mentioned above, Luxembourg does not require a third-country national to renounce to her/his other nationality. According to the Ministry of Justice, the absence of an adequate mechanism for international cooperation in this context does not allow to determine whether obtaining Luxembourgish nationality will result in the retention or the loss of the nationality of the country of origin of the applicant.<sup>ccxxxvi</sup> The legislation of the latter has exclusive competence on this matter.<sup>ccxxxvii</sup> The Ministry of Justice further notes that applicants of Luxembourgish nationality are systematically informed to obtain information from the diplomatic representations of their country of origin regarding the question if the acquisition of Luxembourgish nationality will result in the loss of their former nationality or not.<sup>ccxxxviii</sup>

**Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of your Member State while keeping their other one(s)? If so, which requirements?**

No.

See answers to Q36 and Q37.

**Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)**

No.

As mentioned above, every Luxembourgish national is considered as such by the national authorities, independent of her/his other nationalities. The Constitution also states that all Luxembourgish nationals are equal before the law and are eligible for all public, civil and military employment.<sup>ccxxxix</sup>

**Q40. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?**

Yes.

The principle of multiple nationalities introduced in 2008 allowed the applicant to acquire Luxembourgish nationality without having to renounce her/his other nationality.<sup>ccxi</sup>

A look at the statistics before and after the introduction of the abrogated Law of 23 October 2008 shows that the latter had led to a considerable increase of acquisitions of Luxembourgish nationality via ordinary naturalisation and via the reclamation procedure described in the answer to Q7, which was introduced by the same law in 2008. Whereas the yearly acquisitions of Luxembourgish nationality prior to 2008 ranged from 848 in 2004 to 1.311 in 2007, the total amount of acquisitions increased to 4.022 in the first fully recorded year 2009 of the abrogated Law of 23 October 2008.<sup>ccxli</sup> Since 2009, the total number of acquisitions always remained above at least 4.000 (with the exception of 3.405 in 2011), and increased to 4.991 in 2014 and 5.306 in 2015. Since then, the total number further increased to reach 7.141 in 2016, 9.030 in 2017 and 11.876 in 2018.<sup>ccxlii</sup>

Furthermore, it needs to be added that the modifications apart from the principle itself that were introduced by the reforms in 2008 and particularly in 2017 (see Q3) with regard to residents of Luxembourg (ius soli and option procedure), also contributed to the significant increase in acquisitions of nationality.

## Section 5: Citizenship and integration

**Q41. How does the integration policy of your Member State address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/action plan?**

Yes

The link between citizenship/nationality and integration is two-fold: first, integration (conditions) as a means to access nationality, and second, acquisition of nationality as a means to achieve the goal of integration.

The National Action Plan on Integration (Integration NAP) refers to the acquisition of Luxembourgish nationality in the objective relating to the increase of political participation of non-Luxembourgish nationals. One of the measures mentioned within this section of the Integration NAP relates to the facilitation of the access to Luxembourgish nationality for non-Luxembourgish nationals by implementing the amended Law of 8 March 2017 on Luxembourg Nationality both by the various state actors and by the municipalities.<sup>ccxliii</sup> Furthermore, the action plan acknowledges that the Luxembourgish language, a prerequisite of the acquisition of nationality, is an integration factor that should be further promoted.<sup>ccxliv</sup>

At the same time, integration is also a component referred to in the draft bill of the Nationality Law of 8 March 2017. The stated purpose of the reform of the Nationality Law proposed by the Government in 2016 was to promote the societal and political integration of non-Luxembourgish nationals in the Grand Duchy of Luxembourg as well as to strengthen the cohesion within the national community.<sup>ccxlv</sup> Furthermore, the introduction of the option as a simplified and accelerated pathway for signatories of the Welcome and Integration Contract intends to take the particular integration efforts made by those signatories into account (see also Q7 and Q12).<sup>ccxlvi</sup>

The abrogated Law of 23 October 2008 allowed to refuse the naturalisation of a non-Luxembourgish national on the basis of 'insufficient integration'.<sup>ccxlvii</sup> The notion of 'insufficient integration' explicitly mentioned the following:

- residence period of seven uninterrupted years at the time;
- necessity of active and passive knowledge of at least one of the three official languages of Luxembourg (Luxembourg, French and German) and necessity of passing a spoken Luxembourgish language test;
- necessity of following at least three civic orientation courses (of which one must relate to the Luxembourgish institutions and one to fundamental rights).

The specific notion of 'insufficient integration' was not maintained as such in the amended Law of 8 March 2017, but the components of the notion were, albeit in a reformed way as elaborated on in Q3 and in sections 2 and 3 of this study.

This being said, integration is a requisite sine qua non for granting the status as long-term resident to a third-country national.<sup>ccxlviii</sup>

**Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?**

No specific study was conducted on the question if the acquisition of Luxembourgish nationality facilitates integration (into the labour market). More generally, there is a certain lack of empirical data regarding the impact of the acquisition of nationality on the integration process.

As mentioned above, the acquisition of Luxembourgish nationality entails the obligation to vote in local, national and European elections. Seeing the statistics related to the acquisition of nationality, one could establish a link with regard to the political integration, particularly regarding the access to the right to vote in legislative elections. Between the legislative elections of 2013 and 2018, the electorate increased from 239.668 to 254.577, whereas between 2014 and 2017, the number of acquisitions of Luxembourgish nationality by adult residents amounted to 14.388 persons.

This being said, the following refers to two older studies<sup>ccxlix</sup> dealing with:

- a) the perception of the importance of various integration factors, including the acquisition of Luxembourgish nationality (study based on a quantitative approach);<sup>cccl</sup>
- b) the motivation to acquire Luxembourgish nationality (study based on a qualitative approach).<sup>cccli</sup>

Generally speaking, the studies show that, out of 10 different integration factors, the aspect of the acquisition of Luxembourgish nationality was listed as the least important factor by Luxembourgish and non-Luxembourgish residents. Factors such as "mutual efforts and compromises", "having a job", "mutual sharing of cultural richness" and "knowledge of the Luxembourgish language", in that order, were listed as the most important factors by the respondents. Persons from more disadvantaged socio-economic backgrounds seem to have pragmatic reasons<sup>cclii</sup> to acquire Luxembourgish nationality, such as the intra-EU mobility, facilitation of a professional career, improvement of professional integration and access to work in the public service.<sup>ccliii</sup>

**Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit? Please elaborate on the following aspects:**

**Q43a:** Participation in regional or national elections.

In Luxembourg, the obligation to vote for Luxembourgish nationals is compulsory for local, national and European elections. The third-country national is notified of this obligation at the same time of the notification of the acquisition of nationality. At the same time, the third-country national is automatically registered in the electoral lists of the municipality where s/he resides for the three types of elections. The third-country national holder of long-term residence permit can only participate in the local elections (not in the national and European elections) and s/he has to request her/his registration in the electoral lists.

**Q43b:** Access to certain types of employment (jobs that are only open to citizens of your country).

Yes. In Luxembourg, third-country nationals are excluded from working in the public sector as public servants or state employees. The acquisition of nationality opens this sector to the third-country

national to become public servants, including the posts that involve the exercise of public authority. Nevertheless, the third-country national who acquires Luxembourgish nationality will have to fulfil all the conditions that any Luxembourgish national has to fulfil to become public servant, especially the linguistic requirements in regard to the three official languages of the country (Luxembourgish, French and German).

**Q43c:** Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

One advantage compared to holders of a long-term residence permit is the diplomatic and consular assistance provided to Luxembourgish nationals when travelling abroad.<sup>ccliv</sup>

In the context of family reunification of third-country national family members, if the sponsor is of Luxembourgish nationality, s/he does not have to prove sufficient financial resources.

**Q44. What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in your Member State?**

The notification of the positive decision of the Minister of Justice issued to the applicant contains a notice that the acquisition of Luxembourgish nationality entails the obligation to vote in all elections in Luxembourg.

Furthermore, the flyer mentioned above entitled 'Law on Luxembourgish Nationality – Key points' refers to the points mentioned in the previous question, i.e. to the obligation to vote in Luxembourgish elections as well as to the employment in the public service (see Q34).

Other than that, no particular support is provided in this regard.

**Q45. With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?**

No particular information or support is given in this regard.<sup>cclv</sup>

**Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries?**

Yes.

As mentioned in the answer to Q42, the referenced studies on integration indicate that one of the argumentations brought forward by respondents with regard to the acquisition of Luxembourgish nationality is the facilitation of (intra-EU) mobility.

## Section 6: Conclusions and lessons learned

*Please comment on the findings of your national report by drawing conclusions, identifying any key challenges and lessons learned, as well as outlining any planned policy developments in the upcoming years:*

The laws and regulations regarding the acquisition of Luxembourgish nationality do not differentiate between EU citizens and third-country nationals. Since the adoption of the amended Law of 8 March 2017, which abrogated the Law of 23 October 2008, Luxembourg offers a large spectrum of different pathways through which non-Luxembourgish nationals can acquire Luxembourgish nationality. In addition, Luxembourg introduced the principle of multiple nationalities in 2009, thereby no longer requiring applicants to renounce their other nationality or nationalities. These legislative changes resulted in a significant increase of acquisitions of Luxembourgish nationality since then.

The statistics from 2014 to 2018 regarding the acquisition of Luxembourgish nationality by procedural means showed that the simplified option procedure, which was only introduced by the amended Law of 8 March 2017, was the most common pathway through which third-country nationals acquired Luxembourgish nationality (2,927 total acquisitions). The reclamation procedure (2,775 total acquisitions), particularly for being a direct descendent of an ancestor who was Luxembourgish on 1 January 1900 (2,727 of the total 2,775), was the second most common pathway between 2014 and 2018, and the ordinary naturalisation procedure proved to be only the third most common pathway of acquisition (2,740 total acquisitions). Among the 10 specific option cases, the option foreseen for adults residing legally in Luxembourg for at least 20 years was the most commonly used (1,445 total acquisitions). The option foreseen for persons over the age of 12 who were born in Luxembourg before 1 July 2013 followed as the second most common option (819 total acquisitions), and the option foreseen for adults having completed 7 years of schooling in Luxembourg was the third most commonly used option (299 total acquisitions). At the same time, it is important to note that the reclamation procedure is a specific provision and the possibility to apply for this provision was closed on 1 January 2019. This means that the most recent and the current statistics are marked by a significant number of applications for this provision. Furthermore, as there is a second deadline for applicants of the reclamation procedure to sign the declaration in person before a civil registrar office in Luxembourg set for 31 December 2020, the statistics for 2019 and 2020 will still include this provision.

Another important finding of the study is that it is important to make a distinction between the acquisition of nationality by residents of Luxembourg and by persons that are not residing in Luxembourg. Candidates of Brazilian or US American nationality represented the majority of third-country nationals, followed by candidates with Montenegrin, Bosnian/Herzegovinians, Serbian, Cape Verdean and Kosovar nationality. However, while the overwhelming majority of Brazilian and US American candidates is not residing in Luxembourg and acquired Luxembourgish nationality through the reclamation procedure, candidates from Montenegro, Bosnia/Herzegovina, Serbia, Cape Verde and Kosovo are almost exclusively residents of Luxembourg. Furthermore, they mainly acquired Luxembourgish nationality either via the simplified option foreseen for adults residing legally in Luxembourg for at least 20 years or for persons over the age of 12 who were born in Luxembourg before 1 July 2013.

Generally speaking, there is a certain lack of empirical data in Luxembourg regarding the impact of the acquisition of nationality on the integration process. The studies referenced in section 5 showed that, out of 10 different integration factors, the aspect of the acquisition of Luxembourgish nationality was listed as the least important factor by Luxembourgish and non-Luxembourgish residents.

According to the Ministry of Justice, there are currently no planned policy developments in the context of the acquisition of nationality.<sup>cctvi</sup>

## Annex 1 National statistics

Please fill in the attached excel sheet with the respective statistics for your Member State. Due to the limitations of Eurostat data and national data, statistics provided in this annex shall include all third-country nationals.

*N.B. All Eurostat data will be extracted centrally by the EMN Service Provider. National data will be provided to the extent possible by each EMN NCP. In their national reports, NCPs should briefly describe and comment on the data.*

The Statistical Annex consists of the following:

**Annex 1.1:** Number of third-country nationals that have acquired the citizenship of your Member State in 2018, differentiated by the 10 main former citizenships of the persons concerned and by sex and age groups. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr\_acq).

**Annex 1.2:** Number third-country nationals that have acquired citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible.

**Annex 1.3:** Share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens in 2018. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr\_acqs).

**Annex 1.4:** Number of third-country nationals that have acquired dual citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible. *N.B. This annex 1.4 is optional for those Member States which collect such data.*





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- <sup>i</sup> Law of 8 March 2017 approving 1. the Convention on the Reduction of Statelessness, signed on 30 August 1961 in New York; 2. the European Convention on Nationality, signed on 6 November 1997 in Strasbourg; 3. the Convention of the Council of Europe on the avoidance of statelessness in relation to State succession, signed on 19 May 2006 in Strasbourg, published in Memorial A-288 of 17 March 2017, URL: <http://legilux.public.lu/eli/etat/leg/loi/2017/03/08/a288/jo>.
- <sup>ii</sup> Law of 8 March 2017 approving 1. the Convention on the Reduction of Statelessness, signed on 30 August 1961 in New York; 2. the European Convention on Nationality, signed on 6 November 1997 in Strasbourg; 3. the Convention of the Council of Europe on the avoidance of statelessness in relation to State succession, signed on 19 May 2006 in Strasbourg, published in Memorial A-288 of 17 March 2017, URL: <http://legilux.public.lu/eli/etat/leg/loi/2017/03/08/a288/jo>.
- <sup>iii</sup> Article 9 paragraph 1 of the Constitution of the Grand Duchy of Luxembourg of 17 October 1868, coordinated text of 20 October 2016, URL: <http://data.legilux.public.lu/file/eli-etat-leg-recueil-constitution-20161020-fr-pdf.pdf>
- <sup>iv</sup> Amended Law of 8 March 2017 on Luxembourgish nationality and abrogating the: 1. Law of 23 October 2008 on Luxembourgish nationality; 2. Law of 7 June 1989 on the transposition of surnames and name of persons who acquire or reclaim Luxembourgish nationality, published in Memorial A-289 of 17 March 2017, URL: <http://data.legilux.public.lu/file/eli-etat-leg-loi-2017-03-08-a289-jo-fr-pdf.pdf>, and amended by the Law of 20 July 2018 amending the Law of 8 March 2017 on Luxembourgish nationality, published in Memorial A-728 of 28 August 2018, URL: <http://data.legilux.public.lu/file/eli-etat-leg-loi-2018-07-20-a728-jo-fr-pdf.pdf>.
- <sup>v</sup> Grand ducal regulation of 20 July 2018 amending Grand ducal regulation of 23 July 2016 establishing the lists of administrations and legal persons of public law who can request a bulletin n° 2 or n° 3 of the criminal record with the written or electronic consent of the concerned person, published in Memorial A-729 of 28 August 2018, URL: <http://data.legilux.public.lu/file/eli-etat-leg-rgd-2018-07-20-a729-jo-fr-pdf.pdf>.
- <sup>vi</sup> Grand ducal regulation of 7 April 2017 regarding the courses and test of “Living together in the Grand Duchy of Luxembourg” organised in the framework of the procedures of acquisition of Luxembourgish nationality, published in Memorial A-437 of 24 April 2017, URL: <http://data.legilux.public.lu/file/eli-etat-leg-rgd-2017-04-07-a437-jo-fr-pdf.pdf>, and amended by the Grand-ducal regulation of 19 January 2018, published in Memorial A-88 of 29 January 2018, URL: <http://data.legilux.public.lu/file/eli-etat-leg-rgd-2018-01-19-a88-jo-fr-pdf.pdf>.
- <sup>vii</sup> Grand ducal regulation of 22 July 2019 on the evaluation exam of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality published in Memorial A-547 of 14 August 2019, URL: <http://legilux.public.lu/eli/etat/leg/rgd/2019/07/22/a547/jo>
- <sup>viii</sup> Considering the numerous proposed adaptations to the law, the Government advocated the adoption of a new legislation instead of amending the Law of 23 October 2008.
- Source: Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 24.
- <sup>ix</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 21.
- <sup>x</sup> The Law of 23 October 2008 abrogated the amended Nationality Law of 22 February 1968 on Luxembourgish nationality, published in Memorial A-7 of 4 March 1968, URL: <http://legilux.public.lu/eli/etat/leg/loi/1968/02/22/n1/jo>
- <sup>xi</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 21.
- <sup>xii</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 21-22.
- <sup>xiii</sup> URL: [https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12853&IF\\_Language=fr&MainTheme=2&FldrName=1](https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12853&IF_Language=fr&MainTheme=2&FldrName=1)
- <sup>xiv</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 22.
- <sup>xv</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 28.
- <sup>xvi</sup> The pathway to acquire Luxembourgish nationality via the option procedure was already foreseen in the amended Law of 22 February 1968, but was not maintained by the legislator for the reform in 2008.
- <sup>xvii</sup> Parliamentary document 6561/00 of 11 April 2013. This draft bill was withdrawn in June 2016. See Parliamentary document 6561/07 of 6 June 2016.
- <sup>xviii</sup> DP, LSAP and déi gréng, 3 December 2013, *Accord de coalition 2013-2018*, p. 6. URL : <https://gouvernement.lu/dam-assets/fr/actualites/articles/2013/11-novembre/29-signature/Programme-gouvernemental.pdf>
- <sup>xix</sup> For more information on the referendum, please see: LU EMN NCP, Annual Policy Report 2015, Chapter 3, p. 44-64. Luxembourg, 2016. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2016/07/Policy-Report-2015\\_LU\\_EN\\_web.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2016/07/Policy-Report-2015_LU_EN_web.pdf).

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- <sup>xx</sup> As of 1 January 2015, non-Luxembourgish residents accounted for 45.9% of the total resident population of the country. See URL: [https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12858&IF\\_Language=fra&MainTheme=2&FldrName=1](https://statistiques.public.lu/stat/TableViewer/tableView.aspx?ReportId=12858&IF_Language=fra&MainTheme=2&FldrName=1)
- <sup>xxi</sup> 78.02% of the voters rejected this proposition. See URL: <https://elections.public.lu/fr/referendum/2015/resultats/question/2.html>
- <sup>xxii</sup> The CSV introduced a law proposal in February 2015. See parliamentary document 6781/00 of 24 February 2015. This draft bill was withdrawn in December 2016. See Parliamentary document 6781/01 of 29 December 2016.
- <sup>xxiii</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 21.
- <sup>xxiv</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 28.
- <sup>xxv</sup> Article 6 of the amended Law of 8 March 2017.
- <sup>xxvi</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 24.
- <sup>xxvii</sup> For more information on the debates, please see: LU EMN NCP, Annual Policy Report 2015, Chapters 3 and 4, p. 44-79. Luxembourg, 2016. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2016/07/Policy-Report-2015\\_LU\\_EN\\_web.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2016/07/Policy-Report-2015_LU_EN_web.pdf).
- <sup>xxviii</sup> For more information, please see: LU EMN NCP, Annual Policy Report 2016, Chapter 6.6., p. 48-54. Luxembourg, 2017. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2015/05/Rapport\\_politique-ENG-2016-web.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2015/05/Rapport_politique-ENG-2016-web.pdf).
- <sup>xxix</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>xxx</sup> Article 11 of the amended Law of 8 March 2017.
- <sup>xxxi</sup> Article 89 of the amended Electoral Law of 18 February 2003. See also: <http://luxembourg.public.lu/fr/vivre/citoyennete/index.html>
- <sup>xxxii</sup> Article 1 of the amended Law of 8 March 2017. See also exposition of motives to article 1 of the Parliamentary document n° 6977/00 of 24 March 2016, p. 31.
- <sup>xxxiii</sup> Article 2 (1) and (2) of the amended Law of 8 March 2017.
- <sup>xxxiv</sup> Article 7 (1) of the amended Law of 8 March 2017.
- <sup>xxxv</sup> Article 7 (2) of the amended Law of 8 March 2017. This means that in 2019, the person must have been born before 19 April 1941.
- <sup>xxxvi</sup> Article 5 1° of the amended Law of 8 March 2017.
- <sup>xxxvii</sup> Article 5 2° of the amended Law of 8 March 2017.
- <sup>xxxviii</sup> Article 5 2° of the amended Law of 8 March 2017.
- <sup>xxxix</sup> Article 5 3° of the amended Law of 8 March 2017.
- <sup>xl</sup> Article 4 of the amended Law of 8 March 2017.
- <sup>xli</sup> Article 6 (1) of the amended Law of 8 March 2017.
- <sup>xlii</sup> Article 6 (2) of the amended Law of 8 March 2017.
- <sup>xliii</sup> Article 85 of the amended Law of 8 March 2017. Article 85 is a transitory article and applies to any child born in Luxembourg before 1 July 2013. This individual will obtain Luxembourgish nationality if s/he has her/his usual residence and resided regularly in Luxembourg during five consecutive years before becoming an adult, independently of the residence of the parents. This transitory article will not be applicable after 1 July 2031.
- <sup>xliv</sup> Article 8 (1) of the amended Law of 8 March 2017.
- <sup>xlv</sup> Article 8 (2) of the amended Law of 8 March 2017.
- <sup>xlvi</sup> See also URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/possession-automatique/effet-loi.html>
- <sup>xlvii</sup> Article 8 (1) paragraph 2 of the amended Law of 8 March 2017.
- <sup>xlviii</sup> Article 8 (2) of the amended Law of 8 March 2017.
- <sup>xlix</sup> Article 10 of the amended Law of 8 March 2017.
- <sup>l</sup> Article 11 of the amended Law of 8 March 2017.
- <sup>li</sup> Article 12 of the amended Law of 8 March 2017.
- <sup>lii</sup> Article 14 (1) 1° of the amended Law of 8 March 2017.
- <sup>liii</sup> Article 14 (1) 2° of the amended Law of 8 March 2017
- <sup>liv</sup> Article 14 (1) 3° of the amended Law of 8 March 2017.

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- <sup>lv</sup> Article 14 (2) 2° and 3° of the amended Law of 8 March 2017.
- <sup>lvi</sup> Article 32 of the amended Law of 8 March 2017 stipulates that volunteer soldiers may acquire Luxembourgish nationality via the option procedure. However, only Luxembourgish citizens or citizens of another EU Member State are eligible to join the Luxembourgish army as a volunteer soldier. See URL: <https://www.armee.lu/recrutement-carrieres/soldats-volontaires/conditions-de-recrutement>
- <sup>lvii</sup> Article 23 1° of the amended Law of 8 March 2017.
- <sup>lviii</sup> Article 23 2° of the amended Law of 8 March 2017.
- <sup>lix</sup> Article 24 of the amended Law of 8 March 2017.
- <sup>lx</sup> Article 25 of the amended Law of 8 March 2017.
- <sup>lxi</sup> Articles 26 and 86 of the amended Law of 8 March 2017.
- <sup>lxii</sup> Article 27 of the amended Law of 8 March 2017.
- <sup>lxiii</sup> Article 28 of the amended Law of 8 March 2017.
- <sup>lxiv</sup> Article 29 of the amended Law of 8 March 2017.
- <sup>lxv</sup> Article 30 of the amended Law of 8 March 2017.
- <sup>lxvi</sup> Article 31 of the amended Law of 8 March 2017.
- <sup>lxvii</sup> Article 39 of the amended Law of 8 March 2017.
- <sup>lxviii</sup> Article 88 of the amended Law of 8 March 2017.
- <sup>lxix</sup> Article 89 of the amended Law of 8 March 2017.
- <sup>lxx</sup> Article 89 (1) 1° of the amended Law of 8 March 2017.
- <sup>lxxi</sup> Article 89 (1) 2° of the amended Law of 8 March 2017.
- <sup>lxxii</sup> Article 89 of the amended Law of 8 March 2017 and article 29 of the abrogated Law of 23 October 2008.
- <sup>lxxiii</sup> This means that acquisitions by simple operation of law without any action taken by the person concerned are not included in these statistics.
- <sup>lxxiv</sup> Under the provisions of the abrogated Law of 23 October 2008 and the amended Law of 8 March 2017.
- <sup>lxxv</sup> Article 28 of the amended Law of 8 March 2017.
- <sup>lxxvi</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2017*, 2018. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2017.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2017.pdf)
- <sup>lxxvii</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)
- <sup>lxxviii</sup> Article 86 of the amended Law of 8 March 2017.
- <sup>lxxix</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2017*, 2018. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2017.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2017.pdf)
- <sup>lxxx</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)
- <sup>lxxxi</sup> Article 27 of the amended Law of 8 March 2017.
- <sup>lxxxii</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2017*, 2018. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2017.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2017.pdf)
- <sup>lxxxiii</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)
- <sup>lxxxiv</sup> Article 14 of the abrogated Law of 23 October 2008 and article 89 of the amended Law of 8 March 2017.
- <sup>lxxxv</sup> 398 under the amended Law of 8 March 2017 and 290 under the abrogated Law of 23 October 2008. The total 688 acquisitions are of the following former nationality: 382 US Americans, 249 Brazilians, 26 Canadians, 15 Swiss, 14 Argentinians, 1 Armenian and 1 from undetermined nationality.

Source: Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2017*, 2018. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2017.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2017.pdf)

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<sup>lxvvi</sup> 1.524 under the amended Law of 8 March 2017 and 2 under the abrogated Law of 23 October 2008. The total 1.524 acquisitions are of the following former nationality: 881 Brazilians, 598 US Americans, 11 Canadians, 9 Algerian, 9 Swiss, 5 Argentinian, 4 Israelis, 2 Tunisians, 2 Australians, 1 Colombian, 1 Iranian, 1 Mexican, 1 Peruvian and 1 Russian.

Source: Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)

<sup>lxvii</sup> 494 under the amended Law of 8 March 2017 and 40 under the abrogated Law of 23 October 2008.

Source: Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2017*, 2018. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2017.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2017.pdf)

<sup>lxviii</sup> 321 under the amended Law of 8 March 2017 and 6 under the abrogated Law of 23 October 2008.

Source: Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)

<sup>lxvix</sup> For 2017, see: LU EMN NCP, Annual Policy Report 2017, p. 70-72. Luxembourg, 2019. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2018/10/Annual-Report-on-Migration-and-Asylum\\_EN\\_final.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2018/10/Annual-Report-on-Migration-and-Asylum_EN_final.pdf)

For 2018, see: LU EMN NCP, Annual Policy Report 2018, p. 57-59. Luxembourg, 2019. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum\\_2018\\_EN.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum_2018_EN.pdf)

<sup>xc</sup> LU EMN NCP, Annual Policy Report 2018, p. 57-59. Luxembourg, 2019. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum\\_2018\\_EN.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum_2018_EN.pdf)

<sup>xc1</sup> Ministry of Justice, *Procédures de nationalité luxembourgeoise évacuées, Année 2018*, 2019. URL: [http://mj.public.lu/chiffres\\_cles/Ind\\_Stat\\_2018.pdf](http://mj.public.lu/chiffres_cles/Ind_Stat_2018.pdf)

<sup>xcii</sup> LU EMN NCP, Annual Policy Report 2018, p. 57-59. Luxembourg, 2019. URL: [http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum\\_2018\\_EN.pdf](http://www.emnluxembourg.lu/wp-content/uploads/2019/08/Annual-report-on-migration-and-asylum_2018_EN.pdf)

<sup>xciii</sup> Article 14 (1) 1 of the amended Law of 8 March 2017.

<sup>xciv</sup> Article 22 (1) of the amended Law of 19 June 2013 on the identification of physical persons.

<sup>xcv</sup> Article 38 of the amended Law of 29 August 2008 on free movement of persons and immigration.

<sup>xcvi</sup> Article 38 (1) and (2) of the amended Law of 29 August 2008.

<sup>xcvii</sup> Article 19 of the amended Law of 8 March 2017. The certificate of residence is not listed as one of the documents that has to be joined to the application.

<sup>xcviii</sup> See Parliamentary document n° 6977/00 of 24 March 2016, Comment to article 19, p. 37.

<sup>xcix</sup> Article 22 (2) of the amended Law of 19 June 2013 and articles 15 (4) and 40 (4) of the amended Law of 29 August 2008.

<sup>c</sup> See Parliamentary document n° 6977/00 of 24 March 2016, Exposition of motives, p. 24.

<sup>ci</sup> As an example, a third-country national may have had a legal residence in Luxembourg from 2010 to 2013, and then again from 2018 to 2019, and the last year of residence must be uninterrupted. In this case, s/he would fulfil the condition of legal residence in Luxembourg necessary to apply for Luxembourgish nationality.

<sup>cii</sup> Article 15 (1) 1 of the amended Law of 8 March 2017.

<sup>ciii</sup> Article 15 (1) 2 of the amended Law of 8 March 2017.

<sup>civ</sup> Article 15 (2) of the amended Law of 8 March 2017.

<sup>cv</sup> Article 5 (1) of the Grand ducal regulation of 22 July 2019.

<sup>cvi</sup> Article 6 (1) of the Grand ducal regulation of 22 July 2019.

<sup>cvi</sup> Article 6 (2) of the Grand ducal regulation of 22 July 2019.

Sample tests for both tests can be found under the following link: <http://www.inll.lu/en/nationalite/sproochentest-letzebuergesh/exemples-depreuves/>

<sup>cvi</sup> Article 15 (5) of the amended Law of 8 March 2017.

<sup>cix</sup> Article 5 (2) of the Grand ducal regulation of 22 July 2019.

<sup>cx</sup> Article 6 (3) of the Grand ducal regulation of 22 July 2019.

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<sup>cx</sup>i Article 15 (2) paragraph 2 of the amended Law of 8 March 2017.

<sup>cxii</sup> In this case, the arithmetic average of the scores received in both tests need to be equal or higher than 50% of the total score.

Source: Article 15 (2) paragraph 3 of the amended Law of 8 March 2017.

<sup>cxiii</sup> Article 19 (1) 6° of the amended Law of 8 March 2017.

<sup>cxiv</sup> Information provided by the National Institute of Languages on 17 October 2019.

<sup>cxv</sup> The applicants who have fulfilled the obligations arising from the Welcome and Integration Contract (*'Contrat d'accueil et d'intégration'* – CAI), as established by one of the specific "option" cases (see also Q7), are exempted from the module "History of the Grand Duchy of Luxembourg and European integration" if they decide to attend the course. This exemption is recognized automatically, no procedure needs to be carried out. However, if the applicant decides to only take the test, they will not be exempted from the aforementioned module. As mentioned above, the test will cover all three modules.

<sup>cxvi</sup> Article 14 (1) 3° of the amended Law of 8 March 2017.

<sup>cxvii</sup> Article 16 (1) 1° to 3° of the amended Law of 8 March 2017.

<sup>cxviii</sup> Article 16 (2) 1° to 3° of the amended Law of 8 March 2017.

<sup>cxix</sup> URL: <https://ssl.education.lu/ve-portal/#/home>

<sup>cx</sup> Article 16 (2) last paragraph of the amended Law of 8 March 2017.

Information provided by the Department of Adult Education of the Ministry of National Education, Children and the Youth on 17 September 2019.

<sup>cxxi</sup> Article 16 (3) of the amended Law of 8 March 2017.

<sup>cxixii</sup> Article 16 (5) of the amended Law of 8 March 2017.

<sup>cxixiii</sup> Information provided by the Department of Adult Education of the Ministry of National Education, Children and the Youth on 17 September 2019.

<sup>cxixiv</sup> Information provided by the Department of Adult Education of the Ministry of National Education, Children and the Youth on 17 September 2019.

<sup>cxixv</sup> Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice on Parliamentary question n°1212 of 18 September 2019 concerning a welcome gesture for new holders of Luxembourgish nationality.

<sup>cxixvi</sup> Article 14 (2) 2° of the amended Law of 8 March 2017.

<sup>cxixvii</sup> Article 14 (2) 3° of the amended Law of 8 March 2017.

<sup>cxixviii</sup> Article 14 (2) 3° of the amended Law of 8 March 2017.

<sup>cxixix</sup> Article 19 (1) 4° of the amended Law of 8 March 2017.

<sup>cx</sup> Article 21 (1) of the amended Law of 8 March 2017.

<sup>cxixxi</sup> Article 19 (1) 5° of the amended Law of 8 March 2017.

<sup>cxixxii</sup> In the case of the simplified procedure ("option"), the declaration of the procedure is done before the Registrar officer of the municipality where the candidate resides. The signature of the declaration authorises the Registrar officer to request the issuance of the Luxembourg Criminal Record of the candidate.

Source: Article 35 (1) and article 35 (3) of the amended Law of 8 March 2017.

<sup>cxixxiii</sup> Information provided by the Ministry of Justice on 4 October 2019.

<sup>cxixxiv</sup> Article 21 (1) paragraph 2 of the amended Law of 8 March 2017.

<sup>cxixxv</sup> Information provided by the Ministry of Justice on 4 October 2019.

<sup>cxixxvi</sup> Article 35 (1) and article 65(1) of the amended Law of 8 March 2017.

<sup>cxixxvii</sup> Article 34 (1) 1° of the amended Law of 8 March 2017.

<sup>cxixxviii</sup> Article 34 (1) 2° of the amended Law of 8 March 2017. If they do not have a passport, another identity or travel document may be provided.

<sup>cxixxix</sup> Article 34 (1) 3° of the amended Law of 8 March 2017.

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- <sup>cxl</sup> Article 34 (1) 4° of the amended Law of 8 March 2017.
- <sup>cxli</sup> Article 34 (1) 5° of the amended Law of 8 March 2017.
- <sup>cxlii</sup> Article 34 (1) 6° of the amended Law of 8 March 2017.
- <sup>cxliii</sup> Article 34 (1) 7° of the amended Law of 8 March 2017.
- <sup>cxliiv</sup> See: <https://guichet.public.lu/dam-assets/catalogue-pdf/nationalite/naturalisation/naturalisation-en.pdf>.
- <sup>cxlv</sup> Article 35 (2) paragraph 2 of the amended Law of 8 March 2017.
- <sup>cxlvi</sup> Article 35 (5) of the amended Law of 8 March 2017.
- <sup>cxlvii</sup> Article 35 (3) of the amended Law of 8 March 2017.
- <sup>cxlviii</sup> Article 35 (4) of the amended Law of 8 March 2017.
- <sup>cxlix</sup> Article 35 (6) of the amended Law of 8 March 2017.
- <sup>cl</sup> URL: <https://guichet.public.lu/en/citoyens/citoyennete/voies-recours-reglement-litiges/contestation-decision-administrative/recours-decision-administrative.html>
- <sup>cli</sup> Article 31 1° of the amended Law of 8 March 2017.
- <sup>clii</sup> Article 82 of the amended Law of 8 March 2017.
- <sup>cliii</sup> Articles 31 3° and 34 (1) 14° b) of the amended Law of 8 March 2017.
- <sup>cliv</sup> Article 31 of the amended Law of 8 March 2017.
- <sup>clv</sup> Article 31 of the amended Law of 8 March 2017.
- <sup>clvi</sup> Article 23 1° of the amended Law of 8 March 2017.
- <sup>clvii</sup> Article 23 2° of the amended Law of 8 March 2017.
- <sup>clviii</sup> Article 34 (1) 8° a) of the amended Law of 8 March 2017.
- <sup>clix</sup> Article 34 (1) 8° b) of the amended Law of 8 March 2017.
- <sup>clx</sup> Article 24 of the amended Law of 8 March 2017.
- <sup>clxi</sup> Article 34 (1) 9° a) of the amended Law of 8 March 2017.
- <sup>clxii</sup> Article 34 (1) 9° b) of the amended Law of 8 March 2017.
- <sup>clxiii</sup> Article 34 (1) 9° c) of the amended Law of 8 March 2017.
- <sup>clxiv</sup> Article 25 of the amended Law of 8 March 2017.
- <sup>clxv</sup> Article 25 (2) of the amended Law of 8 March 2017.
- This provision is not applicable to an applicant residing abroad because of the exercise by the spouse abroad of a function conferred by a Luxembourgish public authority or by an international organization.
- <sup>clxvi</sup> Article 34 (1) 10° a) of the amended Law of 8 March 2017.
- <sup>clxvii</sup> Article 34 (1) 10° b) of the amended Law of 8 March 2017.
- <sup>clxviii</sup> Article 34 (1) 10° c) of the amended Law of 8 March 2017.
- <sup>clxix</sup> Article 34 (1) 10° d) of the amended Law of 8 March 2017.
- <sup>clxx</sup> Article 34 (1) 10° e) of the amended Law of 8 March 2017.
- <sup>clxxi</sup> Article 26 and 86 of the amended Law of 8 March 2017.
- <sup>clxxii</sup> Article 26 (2) of the amended Law of 8 March 2017.
- <sup>clxxiii</sup> Article 27 of the amended Law of 8 March 2017.
- <sup>clxxiv</sup> Article 34 (1) 11° of the amended Law of 8 March 2017.
- <sup>clxxv</sup> Article 28 of the amended Law of 8 March 2017.
- <sup>clxxvi</sup> Article 34 (1) 12° of the amended Law of 8 March 2017.
- <sup>clxxvii</sup> Article 29 of the amended Law of 8 March 2017.

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- <sup>clxxviii</sup> Article 19 3° of the amended Law of 8 March 2017.
- <sup>clxxix</sup> Article 34 (1) 13° a) of the amended Law of 8 March 2017.
- <sup>clxxx</sup> Article 34 (1) 13° b) of the amended Law of 8 March 2017.
- <sup>clxxxi</sup> Article 34 (1) 13° c) of the amended Law of 8 March 2017.
- <sup>clxxxii</sup> Article 30 of the amended Law of 8 March 2017.
- <sup>clxxxiii</sup> Article 34 (1) 14° a) of the amended Law of 8 March 2017.
- <sup>clxxxiv</sup> Article 34 (1) 14° b) of the amended Law of 8 March 2017.
- <sup>clxxxv</sup> Article 20 (2) paragraphs 1 and 2 of the amended Law of 8 March 2017.
- <sup>clxxxvi</sup> Article 2 1° and 2° of the amended Law of 8 March 2017.
- <sup>clxxxvii</sup> Article 20 (1) of the amended Law of 8 March 2017.
- <sup>clxxxviii</sup> Article 20 (2) of the amended Law of 8 March 2017.
- <sup>clxxxix</sup> Article 20 (2) of the amended Law of 8 March 2017.
- <sup>lxxx</sup> Article 20 (3) of the amended Law of 8 March 2017.
- <sup>lxxxi</sup> Article 21 (5) of the amended Law of 8 March 2017.
- <sup>lxxxii</sup> Article 21 (1) of the amended Law of 8 March 2017.
- <sup>lxxxiii</sup> Article 21 (2) paragraph 2 of the amended Law of 8 March 2017.
- <sup>lxxxiv</sup> Article 19 (1) 1° of the amended Law of 8 March 2017.
- <sup>lxxxv</sup> Article 19 (1) 2° of the amended Law of 8 March 2017. If they do not have a passport, another identity or travel document may be provided.
- <sup>lxxxvi</sup> Article 19 (1) 3° of the amended Law of 8 March 2017.
- <sup>lxxxvii</sup> Article 19 (1) 4° of the amended Law of 8 March 2017.
- <sup>lxxxviii</sup> Article 19 (1) 5° of the amended Law of 8 March 2017.
- <sup>lxxxix</sup> Article 19 (1) 8° of the amended Law of 8 March 2017.
- <sup>lxxx</sup> Article 19 (1) 9° of the amended Law of 8 March 2017.
- <sup>lxxxi</sup> See: <https://guichet.public.lu/dam-assets/catalogue-pdf/nationalite/naturalisation/naturalisation-en.pdf>
- <sup>lxxxii</sup> Article 21 (3) of the amended Law of 8 March 2017.
- The declaration of option (simplified procedure) produces its effects 4 months after the reception of the file by the Minister of Justice.  
Source: Article 36 (1) of the amended Law of 8 March 2017.
- <sup>lxxxiii</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>lxxxiv</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>lxxxv</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>lxxxvi</sup> See URL : <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise/acquisition-recouvrement/naturalisation.html>
- <sup>lxxxvii</sup> Article 17 (2) of the amended Law of 8 March 2017.
- <sup>lxxxviii</sup> Article 4 (1) of the Grand ducal regulation of 22 July 2019 on the evaluation test of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.
- See also URL: <http://www.inll.lu/en/nationalite/sproochentest-letzebuergesh/inscription-au-test/>
- <sup>lxxxix</sup> Article 4 (2) of the Grand ducal regulation of 22 July 2019 on the evaluation test of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.
- <sup>lxxx</sup> Article 17 (1) 1° et 3° of the amended Law of 8 March 2017 and articles 4 (2) and 15 (1) of the Grand ducal regulation of 22 July 2019 on the evaluation test of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.



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- <sup>ccxi</sup> Article 15 (1) of the amended Grand ducal regulation of 22 July 2019 on the evaluation test of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.
- <sup>ccxii</sup> Article 15 (2) of the amended Grand ducal regulation of 22 July 2019 on the evaluation test of the Luxembourgish language organised in the framework of the procedures of acquisition of Luxembourgish nationality.
- <sup>ccxiii</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxiv</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxv</sup> Article 74 (2) of the amended Law of 8 March 2017.
- <sup>ccxvi</sup> Article 38 of the amended Law of 21 June 1999 regulating the procedures before the administrative courts.
- <sup>ccxvii</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxviii</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxix</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxx</sup> Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice on Parliamentary question n°1212 of 18 September 2019 concerning a welcome gesture for new holders of Luxembourgish nationality.
- <sup>ccxxi</sup> Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice on Parliamentary question n°1212 of 18 September 2019 concerning a welcome gesture for new holders of Luxembourgish nationality.
- <sup>ccxxii</sup> Joint answer from the Prime Minister and Minister of State, the Minister of Family and Integration and the Ministry of Justice on Parliamentary question n°1212 of 18 September 2019 concerning a welcome gesture for new holders of Luxembourgish nationality.
- <sup>ccxxiii</sup> URL: <http://luxembourg.public.lu/en/vivre/citoyennete/nationalite/index.html>
- <sup>ccxxiv</sup> URL: <https://guichet.public.lu/en/citoyens/citoyennete/nationalite-luxembourgeoise.html>
- <sup>ccxxv</sup> URL: <http://mj.public.lu/nationalite/>
- <sup>ccxxvi</sup> URL: <http://mj.public.lu/ministere/services/indigenat/index.html>
- <sup>ccxxvii</sup> Office hours: Monday to Friday from 8:30am to 12pm and from 1:30 to 5 pm.
- <sup>ccxxviii</sup> URL: <https://guichet.public.lu/fr/publications/citoyennete/nationalite-lux-principes.html>
- <sup>ccxxix</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxxx</sup> DP, LSAP and déi gréng, 3 December 2018, *Accord de coalition 2018-2023*, p. 53. URL: <https://gouvernement.lu/dam-assets/documents/actualites/2018/12-decembre/Accord-de-coalition-2018-2023.pdf>
- <sup>ccxxxi</sup> See URL: <http://www.olai.public.lu/en/accueil-integration/mesures/contrat-accueil/index.html>.
- <sup>ccxxxii</sup> Amended Law of 16 December 2008 on the reception and integration of foreigners in the Grand Duchy of Luxembourg.
- <sup>ccxxxiii</sup> A draft bill was introduced and voted in parliament in 2019 to replace the Luxembourg Reception and Integration Agency (OLAI) by the National Reception Agency (*Office national de l'accueil* – ONA) in regard to the reception of applicants of international protection and to put the tasks regarding the integration of foreign nationals directly under the responsibility of the Ministry of Family and Integration. Consequently, after the entering into force of said draft bill, the Welcome and Integration Contract will be implemented directly by the Ministry of Family and Integration.
- <sup>ccxxxiv</sup> Article 28 of the abrogated Law of 23 October 2008.
- For more information, see Parliamentary document n° 5620/00 of 13 October 2006, Exposition of motives, p. 9 and 12. See also Parliamentary document n°5620/00 of 13 October 2006, Commentary of Article 28, p. 20 and 21.
- <sup>ccxxxv</sup> Article 83 of the amended Law of 8 March 2017 maintains the principle of multiple nationalities introduced by article 28 of the abrogated Law of 23 October 2008.
- <sup>ccxxxvi</sup> Answer from the Minister of Justice on Parliamentary question n°142 of 2 January 2019 concerning Luxembourgish nationality.
- <sup>ccxxxvii</sup> Parliamentary document n°5620/00 of 13 October 2006, Commentary of Article 28, p. 20 and 21.
- <sup>ccxxxviii</sup> Answer from the Minister of Justice on Parliamentary question n°142 of 2 January 2019 concerning Luxembourgish nationality.
- <sup>ccxxxix</sup> Article 10bis (1) and (2) of the Constitution of the Grand Duchy of Luxembourg.
- <sup>ccxl</sup> Information provided by the Ministry of Justice on 4 October 2019.
- <sup>ccxli</sup> The yearly statistics are available under the following link: [http://mj.public.lu/chiffres\\_cles/index.html#IND](http://mj.public.lu/chiffres_cles/index.html#IND)



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See also Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 23.

<sup>ccxlii</sup> Not included in these numbers are the persons who acquired Luxembourgish nationality at the age of majority based on the fact that they were born in Luxembourg before 1 July 2013 in accordance with article 85 of the amended Law of 8 March 2017.

<sup>ccxliii</sup> OLAI, Ministry of Family, Integration and the Greater Region, "Plan d'action national d'intégration (PAN intégration) 2018", 13 July 2018, p. 15, URL : <http://www.olai.public.lu/fr/actualites/2018/07/pan/PAN-integration.pdf>

<sup>ccxliv</sup> OLAI, Ministry of Family, Integration and the Greater Region, "Plan d'action national d'intégration (PAN intégration) 2018", 13 July 2018, p. 14-15, URL : <http://www.olai.public.lu/fr/actualites/2018/07/pan/PAN-integration.pdf>

<sup>ccxlv</sup> Parliamentary document 6977/00 of 24 March 2016, Exposition of motives, p. 21.

The purpose of the integration of foreign nationals into society was already formulated as such in the draft bill of the abrogated Law of 23 October 2008. See Parliamentary document 5620/00 of 13 October 2006, Exposition of motives, p. 9. The specific notion of political integration was not mentioned in this draft bill, but only in the draft bill of the amended Law of 8 March 2017.

<sup>ccxlv</sup> Parliamentary document 6977/00 of 24 March 2016, Commentary of Article 29, p. 41.

<sup>ccxlvii</sup> Article 7 1° of the abrogated Law of 23 October 2008.

<sup>ccxlviii</sup> Article 81 (3) of the amended Law of 29 August 2008.

<sup>ccxlix</sup> The Centre for Intercultural and Social Studies and Training (CEFIS) presented various results of the two studies at a conference organised by EMN Luxembourg on 25 June 2018 on the topic in question. The presentation is available under the following link: <http://www.emnluxembourg.lu/wp-content/uploads/2018/05/PPT-CEFIS-Conf%C3%A9rence-EMN-Besch.pdf>.

For more information on the conference, see URL: <http://www.emnluxembourg.lu/?p=2500>.

<sup>cccl</sup> Jacobs A., Legrand M., Mertz F. (2011), *L'intégration au Luxembourg. Focus sur les réseaux sociaux, la confiance et les stéréotypes sur les frontaliers*, RED n°15. Available under the following link: <http://www.cefis.lu/resources/RED15.pdf>

<sup>cccli</sup> Jacobs A., Mertz F. (2010), *L'intégration au Luxembourg. Indicateurs et dynamiques sociales*, RED n°14. Available under the following link: <http://www.cefis.lu/resources/RED14.pdf>.

<sup>ccclii</sup> Which does not mean that they do not identify with Luxembourg or that these pragmatic reasons would be the only reasons to acquire Luxembourgish nationality.

<sup>cccliii</sup> For further reference, see also: Jacobs A., Manço, A. Mertz F. (2017), *Diaspora capverdienne au Luxembourg. Panorama socio-économique, rôles dans les mouvements migratoires, et solidarité avec le pays d'origine*, RED n°21. Available under the following link: <http://www.cefis.lu/resources/RED21.pdf>.

The naturalisation rates according to the nationalities of origin seem to corroborate these results.

<sup>cccliv</sup> URL: <https://maee.gouvernement.lu/fr/directions-du-ministere/affaires-consulaires/services-aux-citoyens/voyages/assistance-consulaire.html>

<sup>ccclv</sup> Information provided by the Ministry of Justice on 4 October 2019.

<sup>ccclvi</sup> Information provided by the Ministry of Justice on 4 October 2019.