



# Pathways to citizenship for third-country nationals in the EU Member States

## Common Template for EMN Study 2019

Final version: 5 August 2019

**Subject:** Pathways to citizenship for third-country nationals in the EU Member States

**Action:** EMN NCPs are invited to complete this template and submit their national report by 2 December 2019.

If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF) at [emn@icf.com](mailto:emn@icf.com).

### 1 STUDY AIMS AND RATIONALE

The European Convention on Nationality, signed in 1997, establishes principles and rules relating to the acquisition and loss of nationality and issue of multiple nationality. To date, 20 Member States have signed the Convention,<sup>1</sup> while 13 EU Member States have ratified it.<sup>2</sup> Although awarding citizenship is a prerogative of the Member States, national regulations have to be implemented with due regard to EU law. This is particularly important as the establishment of Union citizenship by the Maastricht Treaty in 1992 conferred a number of rights and privileges to all persons who are citizens of an EU Member State. Examining and comparing the different rules and regulations in place in Member States is relevant, as the right to free movement for Union citizens means that the decision of one country over who to accept or reject as citizens can impact all other Member States as well. The acquisition of citizenship has been a topic of debate in many Member States in recent years, with the need to integrate migrants.

This EMN study aims at mapping and comparing the various approaches of EU Member States regarding third-country nationals' acquisition of citizenship in a Member State. It will focus in particular on the ordinary naturalisation for new migrants<sup>3</sup> to the EU and therefore largely excludes the acquisition of citizenship through special naturalisation<sup>4</sup>. Ordinary naturalisation is considered to be "any acquisition after birth of a citizenship not previously held by the person concerned that requires an application to public authorities and a decision by these."<sup>5</sup> This study will include a review of the conditions and requirements for naturalisation (e.g. length of legal stay, definition of legal stay, knowledge of language, economic and housing situation) and the administrative processes used by the Member States to determine whether a person is eligible to acquire citizenship or not. The study will examine whether Member States' permit dual citizenships and, if so, under which conditions. The study will also aim to explore how the acquisition of citizenship links to integration policies in the Member States, and whether naturalisation is considered the end-point of an integration process or whether acquisition of citizenship is intended to facilitate integration.

#### 1.1 TARGET GROUPS / AUDIENCES

This study targets policy-makers at EU level (e.g. in the area of integration and intra-EU free movement) as well as broader target groups at national level, such as national policy-makers (migration/integration), researchers, and experts at those national authorities that are responsible for citizenship-related administrative procedures. This study would also be of interest to the wider public because of its topicality and due to the growing number of individuals becoming citizens of a Member State of the EU or acquiring a second (dual) citizenship.

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<sup>1</sup> AT, BG, CZ, DE, DK, EL, FI, FR, HR, HU, IT, LU, LV, MT, NL, PL, PT, RO, SK, SE

<sup>2</sup> AT, BG, CZ, DE, DK, FI, HU, LU, NL, PT, RO, SK, SE

<sup>3</sup> For the purpose of this study, 'new migrants' refer to third-country nationals who do not have a pre-existing historical tie with the Member State (ethnic, family, historical).

<sup>4</sup> *i.e.* acquisition of citizenship through automatic acquisition, by marriage, through investor scheme and for political and/or discretionary reasons are excluded from the scope of this study

<sup>5</sup> R. Baubock and S. Wallace Goodman (2011), EUDO Citizenship Policy Brief n°2, Naturalisation, available at: [http://eudo-citizenship.eu/docs/policy\\_brief\\_naturalisation.pdf](http://eudo-citizenship.eu/docs/policy_brief_naturalisation.pdf)

## 2 SCOPE OF THE STUDY

The study focuses on citizenship matters as defined in the EMN glossary or otherwise commonly used. It shall cover the acquisition, by a third-country national, of the citizenship of an EU Member State. The study covers the broad category of third-country nationals who immigrated to the EU as first generation ('new migrants') and thus excludes second- and third generation migrants. If it is difficult to make the distinction in your Member State, please mention this throughout the template wherever relevant. EU citizens acquiring the citizenship of another EU Member State are not covered. The acquisition of citizenship of an EU Member State by persons living in a third country is also outside of the scope of this study.

As far as policies and legislation regarding the acquisition of citizenship is concerned, this study shall reflect the most recent situation and developments in the Member States, therefore focusing on 2019. Regarding policy and legal developments, it also appears useful to trace any such developments over the past five years. If reasonable, contributing EMN NCPs may also include planned legal or policy developments that have not yet come into effect at the time of writing.

As regards statistics, the study shall cover a five-year period, from 2014 to 2018.

## 3 EU LEGAL AND POLICY CONTEXT

The integration of third-country nationals has become an important policy topic in many Member States, not least as a result of the large number of new migrants who arrived in the EU in 2014-2016 and received international protection. When, how and under which circumstances a third-country national can acquire the citizenship of an EU Member State is an essential dimension of integration processes. The acquisition of citizenship can be seen as the final step of an individual's successful integration process, as an incentive for individuals to become part of a new society or both. According to Eurostat, roughly 825 000 individuals became citizens of a Member State of the EU in 2017, most of them in Italy, the United Kingdom, Germany and France. As the EMN has not previously conducted a comparative study on the acquisition of citizenship, the proposed topic will fill a significant gap in the thematic activities of the network.

Awarding citizenship is a prerogative of the Member States, which they must exercise having due regard to EU law.<sup>6</sup> Indeed, Member States solely are responsible for laying down the conditions for the acquisition of citizenship.<sup>7</sup> However, citizens of a Member State also enjoy the rights of EU citizenship, including that of mobility and free movement across all Member States. As such, the determination of citizenship by one Member State implies a responsibility to all others. In this sense, citizenship has an important EU dimension. As pointed out by the Court of Justice of the EU, while laying down the conditions of acquisition and loss of citizenship falls within the remit of national competence, in doing so Member States must have due regard to EU law.

Three main modes of naturalisation exist:<sup>8</sup>

- Ordinary naturalisation – residence-based naturalisation, which does not foresee any waivers of conditions normally envisaged for applicants;
- Discretionary naturalisation on grounds of national interest – fully discretionary naturalisation, where authorities waive all or almost all naturalisation conditions;
- Discretionary facilitated naturalisation on grounds of national interest – discretionary naturalisation, where authorities waive some but not all naturalisation conditions.

Furthermore, as noted by the European Commission, 24 additional types of acquisition of citizenship are found in the EU, including the facilitation of conditions for certain ethnic groups, on grounds of socialisation or family links.<sup>9</sup> This hints at the complexity of the legal provisions surrounding the acquisition of citizenship.

The study will also seek to examine how the Member States support third-country nationals in applying for citizenship and inform them about their rights and duties as national and EU citizens.

The study also presents an opportunity for Member States to cooperate and share good practices on matters relating to citizenship and integration by comparing and analysing the various national rules and procedures used at national level.

<sup>6</sup> See Judgment of 7 July 1992, *Micheletti and Others v Delegación del Gobierno en Cantabria*, C-369/90, EU:C:1992:295, paragraph 10; Judgment of 11 November 1999, *Belgian State v Mesbah*, C-179/98, EU:C:1999:549, paragraph 29; Judgment of 20 February 2001, *Kaur*, C-192/99, EU:C:2001:106, paragraph 19; Judgment of 19 October 2004, *Zhu and Chen*, C-200/02, EU:C:2004:639, paragraph 37; Judgment of 2 March 2010, *Rottmann*, C-135/08, EU:C:2010:104, paragraph 39

<sup>7</sup> See [Case Tjebbes and others C-221/17](#), Judgment of the Court of 12 March 2019, and [Case Rottmann C-135/08](#), Judgment of the Court of 2 March 2010

<sup>8</sup> European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: [https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes\\_en](https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en). This study focuses on ordinary naturalisation

<sup>9</sup> European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: [https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes\\_en](https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en)

## 4 PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

- Under what conditions can first generation migrants obtain the citizenship of the countries participating in this study? This includes, among other conditions/requirements, the length of legal stay in the country (with temporary/permanent residence status), the definition of legal stay or residence, knowledge of the language, economic situation, suitable housing, good conduct, or any legal or symbolic commitments to adhere to societal rules and norms.
- Are conditions different for different groups of third-country nationals, such as refugees or other groups significantly represented in the respective Member State (e.g. children, citizens of neighbouring third-countries, stateless people, investors)?
- Are there different procedures to acquiring citizenship (such as ordinary naturalisation by registration or by application)? How do these procedures work and how long do they take? To what extent are these procedures digitalised and applications submitted electronically?
- Is dual citizenship possible, and if so, under what conditions?
- What is the role of citizenship, including dual or multiple citizenships, in immigrant integration?

## 5 RELEVANT SOURCES AND LITERATURE

Comparable EU statistics on the acquisition of citizenship in the Member States are available at Eurostat. Additional statistical material should be available, in each country, at national level. It should be noted that although this study focuses on first-generation migrants, statistics extracted from Eurostat and provided by Member States will generally include all third-country nationals, including children/persons with a migrant family background ('second- and third-generation').

Many reports, analyses and comparisons regarding citizenship are available at the Global Citizenship Observatory [GLOBALCIT](#), the successor of EUDO CITIZENSHIP, which started in 2009 with a focus on citizenship laws in the EU Member States and then gradually expanded its scope. The [MACIMIDE Global Expatriate Dual Citizenship Dataset](#) charts the rules that existed in near all states of the world since 1960 with regard to the loss or renunciation of citizenship after a citizen of a respective state voluntarily acquires the citizenship of another state. The [Quality of Nationality Index](#) is relevant in that provides information on citizenship by investment.

Recent reports and EMN Ad-hoc queries are worth considering for this study, such as:

- European Commission, [Report on Investor Citizenship and Residence Schemes in the European Union](#), January 2019, accompanied by its Staff Working Document
- Milieu Study on "[Factual analysis of Member States Investors' Schemes granting citizenship or residence to third-country nationals investing in the said Member State](#)"
- European Parliament, [Briefing on Acquisition and loss of citizenship in EU Member States](#), July 2018
- 'Settling In' 2018, Indicators of Immigrant Integration, OECD
- EMN Ad-hoc query 2019.23 on investor schemes (golden passports)
- [Migrant integration policy index](#)<sup>10</sup>
- EMN Ad-hoc query 2015.709 on [Fees for Citizenship Application](#) (2015)
- EMN Ad-Hoc Query 2015.669 on [Exceptions to an obligation to be released from the old citizenship before acquiring a new one](#) (2015)
- EMN Ad-hoc query 2012.399 on [Citizenship Tests](#) (2012)
- EMN Ad-hoc query 2012.402 on [Dual Citizenship](#) (2012)
- OECD study on Naturalisation and the Labour Market - Integration of Immigrants<sup>11</sup>
- Fundamental Rights Agency, [Second European Union Minorities and Discrimination Survey – main results](#), December 2017
- EMN Ad-hoc query 2015.719 on the [establishment of identity in connection with naturalisation](#) (2015)

To draft their contributions to this study, EMN NCPs should describe and analyse the respective national laws and policy documents regarding the acquisition of citizenship. Administrative handbooks as well as enquiry and research reports should also be used.

## 6 AVAILABLE STATISTICS

As far as comparable statistics are concerned, Eurostat provides the following data sets for each EU Member State:

- **Residents who acquired citizenship as a share of resident non-citizens by former citizenship (EU / non-EU) and sex** – annual data [migr\_acqs].  
**Note:** This type of data can provide an indication of how easy or difficult it is in the various Member States to acquire the citizenship of the country of residence.

<sup>10</sup> <http://www.mipex.eu/access-nationality>

<sup>11</sup> <https://www.oecd.org/els/mig/48328760.pdf>

- **Acquisition of citizenship by age group, sex and former citizenship** (all former EU and non-EU citizenships) – annual data [migr\_acq]
  - Note:** This dataset is the most important one regarding quantitative analyses of the acquisition of citizenship in the Member States.
- **Acquisition of citizenship by age group, sex and level of human development of former citizenship** – annual data [migr\_acq1ctz]
  - Note:** In this data set, former citizenships are grouped in accordance with position in human development index.
  - Note:** These data are not available for all EU Member States.

## 7 DEFINITIONS

According to the European Convention on Nationality, "**nationality**" means the legal bond between a person and a State and does not indicate the person's ethnic origin.<sup>12</sup> A case of the Court of Justice of the EU further defined nationality as "the special relationship of solidarity and good faith between [a Member State] and its nationals and also the reciprocity of rights and duties, which form the bedrock of the bond of nationality".<sup>13</sup>

"**Multiple nationality**" means the simultaneous possession of two or more nationalities by the same person.<sup>14</sup> For the purpose of this study, the term "dual citizenship" is used.

According to the EMN glossary,<sup>15</sup> the term "**citizenship**" is defined as "the particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation."

It is noted that, as per the EMN Glossary, in some Member States, a distinction is made between citizenship and nationality, whereas in the EU context, no distinction is made, and the two terms are considered interchangeable. Those countries which distinguish between citizenship and nationality, the term citizenship refers specifically to the legal rights and duties of nationals.

"**Acquisition of citizenship**" refers to "Any mode of becoming a national, i.e. by birth or at any time after birth, automatic or non-automatic, based on attribution, declaration, option or application".<sup>16</sup>

This study explores the acquisition of citizenship through naturalisation. "**Naturalisation**" means "any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority".<sup>17</sup> As per a recent report published by the European Parliament, a distinction is made 'between ordinary naturalisation – when the primary grounds of acquisition of citizenship is a certain period of residence in the country, and special naturalisation – when the acquisition of citizenship is based on other considerations, such as family links, ethno-cultural connections or special contributions'.<sup>18</sup> The first definition will be used for the purpose of this study, meaning that the emphasis is on the third-country nationals acquiring citizenship on the basis of an application process following a minimum legal residing period.

**Ius sanguinis** refers to "the determination of a person's nationality on the basis of the nationality of their parents (or one parent or one particular parent) at the time of the target person's birth and at the time of acquisition of nationality by the target person (the two points in time are different in cases of acquisition after birth)".<sup>19</sup>

In contrast to this, **ius soli** refers to "the principle that the nationality of a person is determined on the basis of their country of birth".<sup>20</sup> The different categories of ius soli are defined as follows:<sup>21</sup>

- Unconditional ius soli: on the basis of birth. Citizenship is automatically granted to those born in the country, regardless of any other conditions;
- Conditional ius soli: on the basis of certain conditions, e.g. minimum period of residence in the country of the parents;
- Automatic double ius soli: on the basis of parental birth in the country. 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>12</sup> Article 2(a), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

<sup>13</sup> Judgment of 2 March 2010, Rottmann, C-135/08, available at: <http://curia.europa.eu/juris/liste.jsf?num=C-135/08>

<sup>14</sup> Article 2(b), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

<sup>15</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>16</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>17</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>18</sup> European Parliament (2018). Acquisition and loss of citizenship in EU Member States – Key trends and issues, available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_BRI\(2018\)625116](http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2018)625116)

<sup>19</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>20</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>21</sup> <http://eudo-citizenship.eu/docs/ius-soli-policy-brief.pdf>

- Conditional double ius soli: on the basis of certain conditions and parental birth in the country. 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.

## 8 ADVISORY GROUP

- SE EMN NCP (Chair)
- COM (DG Migration & Home Affairs)
- AT EMN NCP
- BE EMN NCP
- CY EMN NCP
- EE EMN NCP
- EL EMN NCP
- FI EMN NCP
- FR EMN NCP
- HU EMN NCP
- IE EMN NCP
- LT EMN NCP
- LU EMN NCP
- LV EMN NCP
- SI EMN NCP
- SK EMN NCP
- Odysseus network expert
- ICF (EMN Service Provider)
- Fundamental Rights Agency (FRA)

## 9 TIMETABLE

The following tentative timetable has been proposed for the Study going forward:

Date	Action
5 August	Launch
2 December	Submission of national reports by EMN NCPs
10 January	First synthesis report to COM
17 January	Deadline for comments
22 January	Circulation of the first SR to all NCPs
5 February	Deadline for comments
March 2020	Publication

## 10 Template for national contributions

The template provided below outlines the information that should be included in the national contributions of EMN NCPs to this Study. For national contributions, the total number of pages should not exceed **35-40 pages**, including questions and excluding the Statistical Annex. A limit of **25-30 pages** will also apply to the synthesis report, in order to ensure that it remains concise and accessible.

## Common Template of EMN Study 2019

# Pathways to citizenship for third-country nationals in EU Member States

### National Contribution from *the United Kingdom*\*

*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 [max. 1 page]

*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.*

*Please provide a concise summary of the main findings of Sections 1-7:*

#### Introduction

In the UK, there is a distinction between nationality and citizenship. In UK law, the term 'British national' is used informally to cover six categories: British citizen, British overseas territories citizen, British overseas citizen, British National (Overseas), British subject and British protected person. This study focuses on the acquisition of only one of these categories: British citizen. British citizens (but not those from the Channel Islands or Isle of Man) are considered 'UK nationals' for EU Treaty purposes.

In the UK, there are two ways to achieve British citizenship: naturalisation (for example, for those settled in the UK or married to, or in a civil partnership with, a British citizen) and registration (for example, if the applicant has another type of British nationality, a British parent or is stateless). In 2018, 157,023 people were granted British citizenship, most of them through naturalisation on the basis of long-term residence.<sup>22</sup> This study focuses primarily on naturalisation as a British citizen on the basis of long-term residence, although also covers registration as a British citizen where applicable (for example, provisions for stateless persons to acquire British citizenship).

#### Requirements for naturalisation as a British citizen

In general, to naturalise as a British citizen, applicants must fulfil a minimum residence period in the UK and be free of immigration time restrictions. They will need to be of good character, sound mind, and have demonstrable knowledge of the English language and life in the UK. Successful applicants must attend a citizenship ceremony where they will make an oath (or solemn affirmation if preferred) of allegiance to Her Majesty the Queen, Her Heirs and Successors and pledge to respect the UK's laws and values. In 2018, of the 8,372 applicants refused, 46% were because of not fulfilling the good character requirement.<sup>23</sup>

These requirements generally apply to all applicants, although some applicants may be exempted from certain requirements on the basis of their age and/or mental or physical disability. Stateless persons must fulfil different requirements to register as a British citizen. To be eligible to register as a British citizen, stateless persons must have been born stateless and have remained stateless. Stateless persons born in the UK or a British overseas territory must be under the age of 22.

Most applicants, apart from those residing in the Channel Islands, Isle of Man or a British Overseas Territory, can apply online. Telephone and face-to-face support is available to support applicants who lack access, skills or confidence to complete the online form. Applicants must submit documentary evidence that they fulfil the requirements and biometric information (a digital photograph and fingerprints) as part of the application process.

#### Dual Citizenship

The UK permits dual citizenship and there is no requirement to renounce citizenship of another country when acquiring British citizenship. It is expected however that those acquiring British citizenship acknowledge the responsibilities, as well as embracing the rights, conferred.

#### Citizenship and Integration

<sup>22</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825319/citizenship-jun-2019-tables.ods](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/825319/citizenship-jun-2019-tables.ods)

<sup>23</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825319/citizenship-jun-2019-tables.ods](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/825319/citizenship-jun-2019-tables.ods)

The UK Government's approach to integration, set out in its Integrated Communities Strategy Green Paper (March, 2018), recognises the importance of the pathway to citizenship for preparing new citizens for life in the UK. Consequently, in its Action Plan to achieve the vision set out in the Green Paper, the UK Government has undertaken to strengthen the knowledge of English requirement for applicants seeking citizenship and to revise the citizenship test (Life in the UK) to give greater prominence to British values.

## 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>24</sup>

No. *Please explain why:*

*If no, please explain why:*  
Not applicable.

b) 1997 European Convention on Nationality?

Yes.

No.<sup>25</sup> *Please explain why:*

The UK made various amendments to its nationality law in 2002 to facilitate signature and ratification, but the law is still at odds with the Convention in some respects, particularly in relation to the deprivation of nationality.

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).

*Please explain:*

Naturalisation is a matter of law as set out in the British Nationality Act 1981<sup>26</sup>. The Act reflects the principle that citizenship should be acquired on the basis of a close and continuing connection with the UK. Those applying to naturalise as British citizens should demonstrate a commitment to the United Kingdom and:

- meet residence requirements based on a period of lawful residence in the United Kingdom (three years for spouses and civil partners of British citizens, and five years for others) (see Q9), including being settled, and without excess absences (see Q9d);
- have sufficient knowledge of English, Welsh or Scottish Gaelic (see Q11);
- have sufficient knowledge of life in the United Kingdom (see Q12);
- be of good character (see Q15).

In addition, those who are not married to or the civil partner of a British citizen must intend to continue to live in the United Kingdom, or to continue in relevant service overseas, and be settled in the United Kingdom for at least 12 months before applying.

The Nationality, Immigration and Asylum Act 2002<sup>27</sup> amended the British Nationality Act 1981 and requires all successful applicants for British citizenship who are aged 18 or over to take an oath and pledge at a citizenship ceremony, unless exempted by the Home Secretary. Also introduced was the requirement that applicants for British citizenship provide evidence of their knowledge of life and language in the United Kingdom either by passing the 'Life in the UK test' or an 'English for Speakers of Other Languages (ESOL)' course which includes citizenship materials, unless they qualify for an exemption.<sup>28</sup>

<sup>24</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=V-4&chapter=5&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=V-4&chapter=5&clang=en)

<sup>25</sup> <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/166/signatures>

<sup>26</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.3

<sup>27</sup> <http://www.legislation.gov.uk/ukpga/2002/41/contents>

<sup>28</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/454792/user-guide-policy-changes.ods](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454792/user-guide-policy-changes.ods)



**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>29</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.

*Please elaborate:*

The Citizenship (Armed Forces) 2014 Act<sup>30</sup> made amendments to the residence requirements (see Q9) for naturalisation of members of the armed forces – to overlook absences from the UK while serving. The Act seeks to ensure foreign or Commonwealth citizens in the armed forces who are posted overseas do not have to wait longer for British citizenship than their counterparts who remain in the UK.<sup>31</sup> Under the British Nationality Act 1981, applicants must be physically present in the UK exactly five years (or three years if married to, or in a civil partnership with, a British citizen) prior to the day of their citizenship application. The 2014 Act allows the Home Secretary to consider this requirement fulfilled if the applicant is, or has been, a member of the armed forces.<sup>32</sup>

The British Nationality Regulations were amended in 2015 to:

- require an applicant to provide biometric information as part of the application process (biometric enrolment)<sup>33</sup>;
- amend the knowledge of the English language requirement (see Q11) so that only tests on the government-approved list are acceptable.<sup>34</sup>

By taking the fingerprints and facial images of foreign nationals, the UK is able to make checks against immigration and police databases before permitting them to enter or remain in the UK or granting them British citizenship. The use of biometric information as part of the immigration and nationality application process leads to better decisions as the UK is easily able to confirm and fix a person's identity details and spot those trying to conceal an adverse criminal or immigration history.<sup>35</sup>

No.

**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.

*Please elaborate:*

There has been discourse in the UK's Parliament on the requirements for British citizenship. A 2018 report<sup>36</sup> published by the House of Lords Citizenship and Civic Engagement Committee made several recommendations in relation to the good character (see Q15) and knowledge of English requirements (see Q11). It also made recommendations regarding the Life in the UK test (see

<sup>29</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.

<sup>30</sup> <http://www.legislation.gov.uk/ukpga/2014/8/contents>

<sup>31</sup> <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm130913/debtext/130913-0001.htm#13091338000002>

<sup>32</sup> <https://www.legislation.gov.uk/ukpga/1981/61/schedule/1#reference-key-61a54e05a2b4ec04796f738aa566160d>

<sup>33</sup> <http://www.legislation.gov.uk/uksi/2015/738/contents/made>

<sup>34</sup> <http://www.legislation.gov.uk/uksi/2015/681/contents/made>

<sup>35</sup> [https://hansard.parliament.uk/Lords/2015-02-10/debates/15021046000272/BritishNationality\(General\)\(Amendment\)Regulations2015](https://hansard.parliament.uk/Lords/2015-02-10/debates/15021046000272/BritishNationality(General)(Amendment)Regulations2015)

<sup>36</sup> <https://www.parliament.uk/business/committees/committees-a-z/lords-select/citizenship-civic-engagement/publications/>

Q12) and fees for applicants (see Q26). The UK Government provided a response to each of the Committee's recommendations.

No evidence could be located to suggest EU citizenship formed part of the debate.

No.

*Please elaborate:*

Not applicable.

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

Yes.

*Please explain:*

There is no universally-applicable definition of the term "United Kingdom national": it has been defined in different ways for different purposes. Such definitions can be found in a variety of Acts of Parliament (although not in any of the British Nationality Acts), international agreements and treaties.

Within British nationality law the term "British national" is used informally to cover the six different categories of British nationals: British citizen, British overseas territories citizen, British overseas citizen, British National (Overseas), British subject and British protected person. Of these, only British citizens and certain British subjects have the right of abode in the UK.<sup>37</sup>

For EU Treaty purposes, the term "UK national" has a much narrower definition, limited to British citizens (but not some of those from the Channel Islands and Isle of Man), British overseas territories citizens who derive their citizenship from a Gibraltar connection, and British subjects who have a right of abode under s.2 of the Immigration Act 1971 (usually through a UK born parent or having been married to a person who would have become a British citizen).

No.

**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*.

*Please explain:*

Not applicable.

*ius soli*. Please explain:

Unconditional *ius soli*.

*Please explain:*

Not applicable.

Conditional *ius soli*.<sup>38</sup>

*Please explain:*

A child born in the UK will be a British citizen if either parent is a British citizen, settled in the UK, or a member of the armed forces. "Settled" is defined as ordinarily resident and free of immigration time restrictions. For many this is demonstrated by them having indefinite leave to remain in the UK.

<sup>37</sup> More information on the different types of British nationality is available here: <https://www.gov.uk/types-of-british-nationality>

<sup>38</sup> This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

Automatic double *ius soli*.<sup>39</sup>

*Please explain:*  
Not applicable.

Conditional double *ius soli*.<sup>40</sup>

*Please explain:*  
Not applicable.

Mixed *ius soli* and *sanguinis*.

*Please explain:*  
Not applicable.

Other.

*Please explain:*  
Not applicable.

**Q7. How can third-country nationals acquire the citizenship of your Member State?** Please check all boxes that apply and briefly describe, linking your reply to the list of modes of acquiring citizenship as listed in Annex 1.2. For example, citizenship could be granted through a special naturalisation procedure on the basis of cultural affinity). *Kindly note that the response should refer to the target group of the study only. This question links to Statistical Annex 1.2.*

By ordinary naturalisation.

*Please explain:*

Third country nationals may be eligible to naturalise as a British citizen if they fulfil a minimum period of residence in the UK of 3 or 5 years depending on their circumstances. They must be aged 18 or over, of sound mind (see Q18), and good character (see Q15), and also fulfil other requirements, including demonstrable knowledge of English (see Q11) and life in the UK (see Q12).<sup>41</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:*

*Please explain:*

Third country nationals may be eligible for British citizenship if they have familial links to the UK by having a British parent. Eligibility depends on when and where they were born and their parents' circumstances.<sup>42</sup> Individuals born outside the UK on or after 1 July 2006 may be eligible if their mother or father was a British citizen when they were born and were able to pass on their British citizenship. Prior to July 2006, there was a requirement that the parents were married if the father had British citizenship but the mother did not. Before 1983, British citizenship could only be passed on by the father.

Holders of a British nationality, but not British citizenship, may also be eligible to apply on the basis of 5 years residence in the UK. The requirements are similar to naturalisation, but there is no knowledge of language and life in the UK requirement (see Q11 and Q12). They can also apply for registration<sup>43</sup> providing they hold no other nationality or citizenship.

<sup>39</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>40</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.

<sup>41</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf)

<sup>42</sup> <https://www.gov.uk/apply-citizenship-british-parent>

<sup>43</sup> Non-British citizens may be eligible to apply for British citizenship in two different ways: registration (for example, if they have another type of British nationality); or naturalisation (for example, after they are settled in the UK). Both registration and naturalisation lead to the acquisition of British citizenship. <https://www.gov.uk/types-of-british-nationality/british-citizenship>

The UK also has provisions to allow certain stateless persons to acquire citizenship (see Q20d).  
If successful, applicants aged 18 or over must attend a citizenship ceremony (see Q32).<sup>44</sup>

By declaration/notification.

*Please explain:*  
Not applicable.

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

*Please explain:*

Third country nationals who previously renounced their citizenship may be eligible to resume citizenship and become registered British citizens. They must meet the good character (see Q15) and sound mind (see Q18) requirements. Additional requirements must be met if the person made a declaration of renunciation renouncing their British citizenship before 1 January 1983. Successful applicants are expected to attend a citizenship ceremony (see Q32).<sup>45</sup>

**Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?**<sup>46</sup> *This question links to Statistical Annex 1.2.*

*Please elaborate:*

Naturalisation based on residence is the most common way to acquire British citizenship.<sup>47</sup>

## 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.

*Please explain:*

To naturalise as a British citizen, third country nationals must be 18 or over, fulfil a minimum period of residence in the UK of 3 or 5 years depending on their circumstances (see Q9), and be free of immigration time restrictions (have indefinite leave to remain, see Q10). As part of the application process, applicants will have to evidence knowledge of the English language (through a formal qualification or through nationality of a majority English speaking country, see Q11) and life in the United Kingdom (through passing the Life in the UK test, see Q12). Applicants must be of good character (see Q15) and sound mind (Q18). Successful applicants are legally required to attend a citizenship ceremony where they will be asked to formally pledge allegiance and to respect the values and laws of the United Kingdom (see Qs 13 and 14).

Any child born in the United Kingdom after 1 January 1983 who was not a British citizen at birth has an entitlement to register as a British citizen, either if:

- the parent becomes a British citizen or settled in the UK;
- the parent joins the armed forces;

<sup>44</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/788183/Guide\\_B\\_OS\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/788183/Guide_B_OS_.pdf)

<sup>45</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/788225/Guide\\_RS1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/788225/Guide_RS1.pdf)

<sup>46</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.

<sup>47</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825319/citizenship-jun-2019-tables.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825319/citizenship-jun-2019-tables.ods) (Table cz\_02)

- the child lives here for the first 10 years of his or her life.

If a child does not have an entitlement to registration, an application could be made under section 3(1) of the British Nationality Act 1981, which is at the Home Secretary's discretion. Although it is normally expected one of the child's parents to be a British citizen, the child could be registered if it was deemed to be in his or her best interests.

In addition, there are provisions for children born in the UK who would otherwise be stateless to acquire citizenship:

- 1) If the child is born in the UK to a parent who is a British overseas territories citizen, British Overseas citizen or British subject and would otherwise be stateless, then he or she would acquire the same nationality as the parent.
- 2) If a child born in the UK is and has always been stateless, they can apply to be registered as a British citizen before their 22<sup>nd</sup> birthday, based on a period of 5 years residence.

These provisions allow the UK to meet obligations under the Convention on the Reduction of Statelessness<sup>48</sup>.

*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?**

*Please explain:*

Applicants must have resided legally in the UK for a minimum of five years prior to applying for British citizenship. They must be free from immigration time restrictions (have indefinite leave to remain) on the day of their citizenship application and in the 12 months immediately preceding their application.

The requirement is different for applicants who are married to, or in a civil partnership with, a British citizen. These applicants must have resided legally in the UK for a minimum of three years prior to their application and be free from immigration time restrictions on the day of their citizenship application.<sup>49</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.

*Please elaborate:*

Not applicable.

- Presence in the country sufficient
- No residence / presence in the Member State is required and citizenship is granted upon entry (e.g. investor schemes).

*Please elaborate:*

Not applicable.

<sup>48</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=V-4&chapter=5](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=V-4&chapter=5)

<sup>49</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf)

Other.

*Please elaborate:*

During the minimum period of residence, applicants must have been residing in the UK continuously (although absences are permitted, see Q9d) and legally. An application for citizenship may be refused if the applicant was residing in the UK illegally during the minimum residence period (for example, by entering the UK as an asylum seeker and remaining in the country when their application was refused and all rights of appeal exhausted).<sup>50</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.

*Please elaborate:*

Applicants must be physically present in the UK (England, Wales, Scotland, Northern Ireland, the Isle of Man, or the Channel Islands) during the minimum period of residence. Absences from the UK are permitted, up to a specified number of days (see Q9d).

Applicants must have been physically present in the UK on the day five years before their application is received by the Home Office. For example, if their application was received on 14 January 2019, the applicant must have been physically present in the UK on 14 January 2014. If the applicant is married to, or in a civil partnership with, a British citizen, they must have been present in the UK three years prior to the day their application is received by the Home Office.<sup>51</sup>

No, holding a permit is sufficient.

*Please elaborate:*

Not applicable.

Other:

*Please elaborate:*

Not applicable.

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

*Please elaborate:*

Applicants must provide their passport as evidence they have been residing legally in the UK for the minimum period of residence. In the case that they are unable to provide their passport, or their passport was not stamped when they entered the UK, they must provide a letter of explanation and alternative evidence of residence in the UK such as letters from employers (with start and end dates), educational establishments or other Government departments, payslips and P60s<sup>52</sup>  
<sup>53</sup>.

<sup>50</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.8

<sup>51</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf)

<sup>52</sup> A P60 demonstrates how much tax an individual paid on their salary in the tax year.

<sup>53</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.29

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

Yes.

*Please elaborate:*

Not applicable.

No

Other:

*Please elaborate:*

Absences from the UK during the minimum residence period are permitted up to a specified number of days.

Applicants who are married to, or in a civil partnership with, a British citizen, must not have been absent from the UK for more than 90 days in the 12-month period prior to applying for citizenship (and for more than 270 days in the three-year minimum residence period).

Applicants who are not married to, or in a civil partnership with, a British citizen, must not have been absent from the UK for more than 90 days in the 12-month period prior to applying for citizenship (and for more than 450 days in the five-year minimum residence period).

There is discretion to disregard absences in excess of these limits. Longer absences may be permitted when an applicant meets all other requirements, has established their home, family or large part of their estate in the UK, and fulfils a longer minimum residence period.<sup>54</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.*

- Permanent residence permit. *Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition: see explanation below*
- Refugee status. *Number of years:*
- Temporary residence permit. *Number of years:*
- Other protection statuses. *Number of years:*

*Please explain:*

Applicants must evidence that they are free from immigration time restrictions<sup>55</sup> before applying for citizenship. Applicants will be free from immigration time restrictions if they are granted indefinite leave to remain under the immigration rules.<sup>56</sup>

The number of years to be free of immigration time restrictions (to achieve indefinite leave to remain) will vary depending on the applicant's circumstances. For most visa categories, an applicant may be eligible for indefinite leave to remain after five years in the UK. In some visa

<sup>54</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.10

<sup>55</sup> For example, through a passport showing the holder has the right to remain permanently in the UK, or a letter from the Home Office giving permission to remain permanently in the UK.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.30

<sup>56</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.13

categories that period may be shorter, for example holders of a Tier 1 (Investor) visa may be eligible for indefinite leave to remain after two years, depending on their level of investment.<sup>57</sup> Those who have refugee or humanitarian protection status are eligible to apply for indefinite leave to remain after five years.<sup>58</sup>

The length of time applicants must hold indefinite leave to remain before applying for citizenship depends on their circumstances. All applicants must be free from immigration time restrictions on the date of their application. For applicants who are not married to, or in a civil partnership with, a British citizen, they must also be free of immigration time restrictions during the 12-month period before making their application.<sup>59</sup>

Other status:

## 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>60</sup>

Yes.

*Please state the required level:*

A person will meet the language requirement for naturalisation as a citizen by having a speaking and listening qualification in English at B1 level or above of the Common European Framework of Reference for Languages (CEFR).<sup>61</sup> At B1 level, individuals are able to comprehend standard input on matters relating to work, school, leisure and other areas, and give reasons for opinions and plans.<sup>62</sup>

Applicants that have a long term physical or mental condition or are aged 65 or over may be exempt from the language requirement for naturalisation as a British citizen.<sup>63</sup>

No.

**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.)?

*Please explain:*

There are different ways in which an applicant can demonstrate they fulfil the language requirement for citizenship.

#### **Holding a speaking and listening qualification in English at B1 CEFR or higher**

Applicants must pass a test with a Secure English Language Testing (SELT) provider. The test and the provider of the test must be approved by the Home Office. There are currently two approved SELT providers: Trinity College London and IELTS SELT Consortium. The approved tests are listed in Appendix O of the Immigration Rules.<sup>64</sup> Once they have passed a test, candidates are provided with a unique reference number which is used by the Home Office for verification.<sup>65</sup>

<sup>57</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/791067/Calculating-continuous-leave-v18.0.pdf?\\_ga=2.231576668.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791067/Calculating-continuous-leave-v18.0.pdf?_ga=2.231576668.2112074092.1566206169-808143816.1548409867) p.5

<sup>58</sup> <https://www.gov.uk/settlement-refugee-or-humanitarian-protection>

<sup>59</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf)

<sup>60</sup> Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

<sup>61</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751976/KoLL-v21.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751976/KoLL-v21.0ext.pdf) p.11

<sup>62</sup> <https://rm.coe.int/1680459f97> p.24

<sup>63</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf) p.19

<sup>64</sup> <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-o-approved-english-language-tests>

<sup>65</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/600175/2017-03-14-SELT-frequently-asked-questions-for-candidates-v2.0.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/600175/2017-03-14-SELT-frequently-asked-questions-for-candidates-v2.0.pdf) p.2



**Holding a degree that was taught (or researched) in English**

Applicants can demonstrate they fulfil the language requirement for citizenship if they hold a degree that was awarded by a UK university. The certificate must be provided when applying for citizenship by naturalisation.<sup>66</sup>

Applicants that hold a degree that was awarded in a majority English speaking country<sup>67</sup> may also fulfil the language requirement for citizenship. In addition to a degree certificate, they must provide an Academic Qualification Level Statement (AQUALS) from UK NARIC<sup>68</sup> confirming the qualification is equivalent to a UK qualification.

Applicants that hold a degree awarded in a non-majority English speaking country must provide a degree certificate and:

- an Academic Qualification Level Statement (AQUALS) from UK NARIC confirming the qualification is equivalent to a UK qualification; and
- an English Language Proficiency Statement (ELPS) from UK NARIC showing that the degree was taught in English.

**Being a national of a majority English speaking country**

Nationals of majority English speaking countries<sup>69</sup> are considered to automatically fulfil the language requirement for citizenship.<sup>70</sup> Their passport will confirm their nationality during the application process.<sup>71</sup>

Applicants that have a long term physical or mental condition or are aged 65 or over may be exempt from the language requirement for naturalisation as a citizen.<sup>72</sup> When applying for citizenship by naturalisation, applicants who qualify for an exemption should provide a confirmation letter from a medical practitioner.<sup>73</sup>

**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.

*Please explain:*

Not applicable.

No.

**Citizenship tests and commitments**

<sup>66</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.29

<sup>67</sup> For a list of majority English speaking countries, see p.19: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) (Canada is excluded).

<sup>68</sup> UK NARIC is the designated United Kingdom national agency for the recognition and comparison of international qualifications and skills. It performs this official function on behalf of the UK Government. <https://www.naric.org.uk/naric/>

<sup>69</sup> For a list of majority English speaking countries, see p.19: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf)

<sup>70</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.18

<sup>71</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.30

<sup>72</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf) p.19

<sup>73</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.30

**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.

*Please outline the main components of the test.*

To fulfil the requirements for naturalisation as a British citizen, applicants must demonstrate knowledge of life in the UK through passing the Life in the UK test. The test lasts 45 minutes and is computer based. There are 24 multiple choice questions.<sup>74</sup> The questions are based on the 'Life in the United Kingdom: A Guide for New Residents' handbook and cover topics including local customs and traditions, the history of the United Kingdom and the laws and political systems that govern the country.<sup>75</sup> When applying for citizenship by naturalisation, applicants must provide a letter, stamped and signed by the Test Supervisor, confirming they have passed the Life in the UK test.<sup>76</sup>

Applicants that have a long term physical or mental condition or are aged 65 or over may be exempt from the knowledge of life in the UK requirement for naturalisation as a citizen.<sup>77</sup> When applying for citizenship by naturalisation, applicants who qualify for an exemption should provide a confirmation letter from a medical practitioner.<sup>78</sup>

No.

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

Yes.

*Please explain:*

The handbook on which the questions are based is regularly reviewed and its contents updated.

No.

**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?**

Yes.

*Please explain what these values are and what is expected from the applicant.*

Applicants who are granted British citizenship and are aged 18 or over are legally required to attend a citizenship ceremony organised by local councils across the UK. This should be within three months of being sent an invitation to attend a citizenship ceremony from the Home Office.

At the citizenship ceremony, successful applicants must make a pledge to respect the rights, freedoms, democratic values and laws of the UK.<sup>79 80</sup>

No.

<sup>74</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751976/KoLL-v21.0ext.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751976/KoLL-v21.0ext.pdf) p.20

<sup>75</sup> <https://www.tsoshop.co.uk/Society/Life-in-the-UK/About-the-test/?TRACKID=002353>

<sup>76</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.29

<sup>77</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide-AN-Naturalisation-Booklet.pdf) p.19

<sup>78</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.30

<sup>79</sup> <https://www.gov.uk/citizenship-ceremonies>

<sup>80</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/258235/oathof-allegiance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/258235/oathof-allegiance.pdf)

**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.**

Yes.

*Please explain:*

At the citizenship ceremony (see Q13), successful applicants must make an oath (or solemn affirmation if preferred) of allegiance to Her Majesty the Queen, Her Heirs and Successors.<sup>81 82</sup>

No.

*Please explain:*

Not applicable.

### **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.

*Please explain:*

Applicants aged 10 or over on the date of their citizenship application are subject to a good character requirement.

Applicants are unlikely to be considered of good character, and therefore have their citizenship application refused, if there is information to suggest any of the following apply:

- **Criminality:** If they have not respected or are not prepared to abide by the law - for example, they have been convicted of a crime or there are reasonable grounds to suspect, meaning it is more likely than not, they have been involved in crime.
- **International crimes, terrorism and other non-conductive activity:** If they have been involved in or associated with war crimes, crimes against humanity or genocide, terrorism, or other actions that are considered not to be conducive to the public good.
- **Financial soundness:** If their financial affairs have not been in appropriate order - for example, they have failed to pay taxes for which they were liable or have accrued significant debt.
- **Notoriety:** If their activities have been notorious and cast serious doubt on their standing in the local community.
- **Deception and dishonesty:** If they have been deliberately dishonest or deceptive in their dealings with the UK government, for example they have made false claims in order to obtain benefits.
- **Immigration-related matters:** If they have breached immigration laws, for example by overstaying, working in breach of conditions or assisting in the evasion of immigration control.
- **Deprivation:** If they have previously been deprived of citizenship.

This is not an exhaustive list.<sup>83</sup>

<sup>81</sup> <https://www.gov.uk/citizenship-ceremonies>

<sup>82</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/258235/oathofallegiance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/258235/oathofallegiance.pdf)

<sup>83</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/770960/good-character-guidance.pdf?\\_ga=2.30236028.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770960/good-character-guidance.pdf?_ga=2.30236028.2112074092.1566206169-808143816.1548409867) p.9

No.

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

*Please elaborate:*

The application form completed by individuals applying for nationality asks for information about their character in relation to the areas detailed above (see Q15). Applications are checked against criminal records and other government systems.

#### **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.

Yes.

*Please explain:*

Not applicable.

No.

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

*Please explain:*

Not applicable.

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

Yes.

*Please explain:*

Not applicable.

No.

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

*Please explain:*

Not applicable.

#### **Others**

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

Yes.

*Please explain:*

Applicants must be aged 18 or over to naturalise as a British citizen. Those under the age of 18 are eligible to register as British citizens if they fulfil the requirements.<sup>84</sup>

<sup>84</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/817215/Guide\\_MN1-Jul19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817215/Guide_MN1-Jul19.pdf)

Applicants must also be of sound mind to naturalise as a British citizen, so that they are able to understand the step they are taking. In some circumstances, this requirement can be waived by the Home Secretary.<sup>85</sup>

Applicants who are not married to, or in a civil partnership with, a British citizen, must also intend to continue to live in the UK, or to continue in Crown service, the service of an international organisation of which the UK is a member, or the service of a company or association established in the UK.<sup>86</sup>

No.

### **Section 2.3 Security**

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

Yes.

*Please explain:*

Matters such as national security and public order are addressed as part of the good character consideration which applicants are required to fulfil to naturalise as a British citizen (see Q15).

No.

### **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

**Q20a.** Refugees

*Please explain:*

Refugees must meet the same requirements as other applicants.

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

*Please explain:*

Other beneficiaries of international protection statuses must meet the same requirements as other applicants.

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

*Please explain:*

Applicants aged 65 or over, or those with a long term physical and mental health condition, may be exempt from fulfilling the language (see Q11) and knowledge of life in the UK (see Q12) requirements. Exemption on the grounds of a physical or mental health condition may be removed if the condition improves with treatment. An exemption would only be considered if an

<sup>85</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf?\\_ga=2.26573054.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf?_ga=2.26573054.2112074092.1566206169-808143816.1548409867) p.14

<sup>86</sup> *Ibid.* p. 7

applicant's condition prevents them permanently from meeting the language and knowledge of life in the UK requirements.<sup>87</sup>

Applicants under the age of 10 are not subject to the good character requirement (see Q15).<sup>88</sup>

In some circumstances, the requirement for an applicant to be of sound mind (see Q18) may be waived at the discretion of the Home Secretary if they believe it is the best decision in a particular case. In these circumstances, the individual applying on behalf of the applicant should provide confirmation of the applicant's condition and that the applicant is in their care, and evidence of care arrangements. They should state on the application form why it is in the applicant's best interests to be granted citizenship despite their inability to understand what is involved.<sup>89</sup>

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

*Please explain:*

There are additional requirements for stateless persons seeking to acquire citizenship. To be eligible for British citizenship, stateless persons must have been born stateless and must have remained stateless.

As with other categories of applicant, stateless persons must also fulfil a minimum residence period, although the length is different depending on their place of birth. Stateless persons born in the UK or a British overseas territory must have been present on the date five years before their application is received and should not have been absent from the UK or British overseas territory for more than 450 days in that five-year period. Persons born outside of the UK or British overseas territory must have been present three years before the date their application is received, with no more than 270 days of absence in that period.

Those born in the UK or a British overseas territory must be under the age of 22. This does not apply to applicants born outside the UK or a British overseas territory, but these applicants must have a mother or father who is a:

- British citizen
- British Overseas Territories citizen
- British overseas citizen
- British subject<sup>90</sup>

The requirements are different and more complex for individuals born before 1 January 1983. These individuals must fall into one of the categories outlined in caseworker guidance, for example by having a mother who was a citizen of the UK and Colonies at the time of the individual's birth: <https://www.gov.uk/government/publications/stateless-persons-nationality-policy-guidance>

### 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. ethnic or linguistic) ties to the country).*

<sup>87</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf?\\_ga=2.234902594.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf?_ga=2.234902594.2112074092.1566206169-808143816.1548409867) p.19

<sup>88</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/770960/good-character-guidance.pdf?\\_ga=2.22360696.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770960/good-character-guidance.pdf?_ga=2.22360696.2112074092.1566206169-808143816.1548409867)

<sup>89</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794168/Guide\\_AN\\_Naturalisation\\_Booklet.pdf?\\_ga=2.234902594.2112074092.1566206169-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794168/Guide_AN_Naturalisation_Booklet.pdf?_ga=2.234902594.2112074092.1566206169-808143816.1548409867) p.14

<sup>90</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/788150/Guide\\_S.pdf?\\_ga=2.250425486.9613198.1566911487-808143816.1548409867](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/788150/Guide_S.pdf?_ga=2.250425486.9613198.1566911487-808143816.1548409867) p.5-8

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

*Please describe:*

Third country nationals who meet the criteria set out in Section 2 are eligible to apply online to obtain citizenship through ordinary naturalisation (see Q23). Their application is reviewed by UK Visas and Immigration (part of the Home Office) and a decision is usually made within six months (see Q25). Applicants must submit biometric information (see Q27) and documentary evidence that they fulfil all the criteria for citizenship on the basis on which they are applying (see Q24). A fee is payable for the application to be processed (see Q26).

Successful applicants who are aged 18 or over must attend a citizenship ceremony where they will make an oath (or solemn affirmation if preferred) of allegiance to Her Majesty the Queen, Her Heirs and Successors and pledge to respect the UK's laws and values (see Q32).

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

Yes.

*Please explain:*

Not applicable.

No. Children are not automatically registered as British citizens once their parents are granted citizenship. They can apply at the same time as their parents but must meet the relevant criteria in their own right.

**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.*

*Please explain:*

UK Visas and Immigration is responsible for considering applications for British citizenship from overseas nationals who wish to settle in the UK permanently. It is part of the Home Office.<sup>91</sup>

Applicants aged 18 or over who have successfully applied to become a British citizen must attend a citizenship ceremony. These are organised by local councils.<sup>92</sup>

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

Yes.

*Please explain:*

Applicants for British citizenship by naturalisation may apply online or by posting an application form. Those living in the Channel Islands, Isle of Man or a British Overseas Territory can only apply by post.<sup>93</sup>

No.

<sup>91</sup> <https://www.gov.uk/government/organisations/uk-visas-and-immigration/about>

<sup>92</sup> <https://www.gov.uk/citizenship-ceremonies>

<sup>93</sup> <https://www.gov.uk/government/publications/become-a-british-citizen-by-naturalisation-form-an>

**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)?**

*Please explain:*

In addition to documentary evidence that the applicant has met the conditions outlined in Section 2, all applicants must provide proof of identity, for example a passport, driving licence, or Home Office Biometric Residence Permit.<sup>94</sup>

For applications made on the basis of marriage or civil partnership to a British citizen, the following must be provided:

- the current passport or naturalisation/registration certificate of the applicant's spouse or civil partner, showing that he/she is a British citizen
- the marriage certificate or civil partnership certificate

For applications made on the basis of marriage to or civil partnership with a British citizen in Crown or designated service, a letter must be provided from the employer confirming date and place of recruitment, position held, and the extent to which it would be in the employer's interests for the application to be granted.

Joint applicants must provide a marriage or civil partnership certificate.

Some applicants also need to evidence they have paid National Insurance (for example, by submitting payslips), and tax if they are self-employed.<sup>95</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?**

*Please explain:*

It is customary for applicants to get a decision within six months, although some applications may take longer.<sup>96</sup> Compassionate or compelling cases may be expedited.

**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.**

*Please explain:*

The overall fee for British citizenship comprises 2 elements:

1) Fee for handling and processing an application

The application fee for naturalisation as a British citizen is £1330<sup>97</sup> (€1498, £1=€1.13).

2) Citizenship ceremony fee

Applicants who are granted British citizenship and are aged 18 or over are legally required to attend a citizenship ceremony organised by local councils across the UK. These are usually done in groups, although a private ceremony can be requested if preferred. The fee for a group citizenship ceremony is £80 (€90, £1=€1.13). Private ceremonies will cost more.<sup>98</sup> The exact cost of a private ceremony varies considerably by local council. A private ceremony in the London Borough of Redbridge costs £100 (€113, £1=€1.13) on a weekday or £120 (€135,

<sup>94</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.29

<sup>95</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.31

<sup>96</sup> <https://www.gov.uk/apply-citizenship-indefinite-leave-to-remain/after-youve-applied>

<sup>97</sup> <https://www.gov.uk/government/publications/fees-for-citizenship-applications/fees-for-citizenship-applications-and-the-right-of-abode-from-6-april-2018>

<sup>98</sup> Note that additional fees will be incurred in meeting the requirements for citizenship for example by sitting a language test if required (see Q11), the Life in the UK test (see Q12) and submitting biometric information as part of the application process (see Q27).



£1=€1.13) on a Saturday.<sup>99</sup> Birmingham City Council charges £200 (€225, £1=€1.13) for a weekday private ceremony, increasing to £225 (€253, £1=€1.13) on a Saturday.<sup>100</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)?

*Please explain:*

Applicants must submit biometric information (a digital photograph and fingerprints). A fee of £19.20<sup>101</sup> (€21.63, £1=€1.13) is payable for biometric enrolment.<sup>102</sup>

Applicants are required to submit a passport-style photograph of themselves that is certified as being a true likeness by two referees.<sup>103</sup>

**Q28.** To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?<sup>104</sup>

*Please explain:*

Naturalisation is at the discretion of the Secretary of State; she may naturalise a person who meets the requirements "if she sees fit". In special circumstances, the Secretary of State may also exercise discretion over some of the requirements, for example relating to absences from the UK in the period preceding the application (see Q9) and knowledge of the English language (see Q11) and life in the UK (see Q12).<sup>105</sup>

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

*Please explain stating how these were addressed and any good practices*

Where a person who naturalises for citizenship arrived inadequately documented, occasionally the UK may not be able to assert the person's identity to a sufficiently high standard. There are situations where the UK has naturalised a person in an identity only to discover later on that the person is known in a different identity elsewhere.

**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.

*Please explain:*

Not applicable.

No.<sup>106</sup>

<sup>99</sup> <https://www.redbridge.gov.uk/births-deaths-marriages-and-citizenship/citizenship-ceremonies/>

<sup>100</sup> [https://www.birmingham.gov.uk/info/50039/citizenship/760/book\\_a\\_private\\_citizenship\\_ceremony](https://www.birmingham.gov.uk/info/50039/citizenship/760/book_a_private_citizenship_ceremony)

<sup>101</sup> <https://www.gov.uk/biometric-residence-permits/personal-data>

<sup>102</sup> <https://www.gov.uk/biometric-residence-permits>

<sup>103</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/811821/form-an-06-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/811821/form-an-06-19.pdf) p.19-21

<sup>104</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.

<sup>105</sup> <https://www.legislation.gov.uk/ukpga/1981/61/schedule/1>

<sup>106</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/757956/form-NR-10-18.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757956/form-NR-10-18.pdf)

**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.

*Please explain, if possible listing the top 5 reasons:*

Based on Immigration Statistics<sup>107</sup>, the top 5 reasons for a negative citizenship application decision in 2018 were:

1) Not of good character

The most common ground for a negative citizenship application was not fulfilling the requirement to be of good character (see Q15). This includes applicants refused due to having been in the UK unlawfully, criminal convictions, those found to have used deception or forged documents in support of their application and those connected with war crimes or who are considered a threat to national security.

2) Residence

Applicants refused for this reason did not fulfil the residence requirement (see Q9). This includes applicants who have not lived lawfully in the UK for the required period, have been in breach of the immigration laws, or have been absent from the UK for more than 450 days or more than 90 days in the last 12 months.

3) Other

This includes cases where the applicant is not of full capacity, is under/over the age limit, is not married to a British citizen, or has no qualifying connections and transitory period.

4) Delay in replying to enquiries from UK Visas and Immigration (UKVI)

Applicants who do not respond to requests for further information from UKVI may have their application for citizenship refused.

5) Insufficient Knowledge of English and Knowledge of Life in the UK

This includes applicants who do not fulfil the Knowledge of English (see Q11) and Life in the UK (see Q12) requirements.

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

Yes.

*Please explain:*

Applicants who are granted British citizenship and are aged 18 or over are legally required to attend a citizenship ceremony where they will make an oath of allegiance (or solemn affirmation if preferred) to Her Majesty the Queen, Her Heirs and Successors and pledge to respect the UK's laws and values (see Q13 and Q14). A person is only exempted if they have a medical condition that would prevent them from making the oath and pledge.

No.

**Support provided during the application process**

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

Yes.

*Please explain (incl. good practice example if available):*

<sup>107</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/825319/citizenship-jun-2019-tables.ods](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/825319/citizenship-jun-2019-tables.ods) (Table cz\_09)

Prospective applicants for citizenship can find detailed information on applying on the GOV.UK website.

No.

**Q34.** Is governmental support provided to applicants during the application process?<sup>108</sup> Have any good practices been identified in your Member State?

Yes.

*Please explain (incl. good practice example if available):*

UK Visas and Immigration offers Assisted Digital support for applicants who may lack the access, skills or confidence to complete an online immigration application form. Telephone and face-to-face support is available for applicants to complete the online form. The service does not offer applicants immigration advice.<sup>109</sup>

No.

**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.

*Please explain (incl. good practice example if available):*

No.

## 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.*

Yes.

*Please explain the reasoning and how this is enforced:*

Not applicable.

No.

*Please explain the reasoning if possible:*

In UK law a British citizen is not prevented from having another nationality.<sup>110</sup> The UK recognises, for example, that people may often retain a strong affinity with their country of origin despite living in the UK permanently. However, the UK does not see that this prevents a person from establishing loyalty to, and affinity with, the UK; it is possible to be a good citizen of more than one country. That said, the UK expects those becoming British citizens to take on board the responsibilities, as well as embracing the rights, which British citizenship confers.

Other.

*Please explain:*

Not applicable.

<sup>108</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.

<sup>109</sup> <https://www.gov.uk/government/collections/assisted-digital-service-uk-visas-and-immigration>

<sup>110</sup> <https://www.gov.uk/dual-citizenship>

- 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?

*If yes, please elaborate:*

Not applicable.

- 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?

Yes.

*Please explain:*

Not applicable.

No.

- 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)

Yes.

*Please explain:*

Not applicable.

No.

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

Yes.

*Please explain:*

Not applicable.

No.

## 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.

*Please explain (e.g. is naturalisation considered the end point of an integration process or is the acquisition of citizenship intended to facilitate integration)?*

The Integrated Communities Strategy Green Paper<sup>111</sup> published in March 2018 set out the UK government's proposals for building integrated communities where people – whatever their background – live, work, learn and socialise together based on shared rights, responsibilities and opportunities.

<sup>111</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/696993/Integrated\\_Communities\\_Strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696993/Integrated_Communities_Strategy.pdf)

Following consultation on the Green Paper, the government published in February 2019 an Integrated Communities Action Plan<sup>112</sup> which commits to the actions the government will take to achieve this vision.

The government's approach as set out in the Strategy recognises the importance of the pathway to citizenship to preparing new citizens for both the responsibilities and opportunities of living in modern Britain so that they are able to integrate into life in this country. The Action Plan includes the following actions to support this:

- Trialling - through the Integration Areas programme - the provision of a package of information for recent migrants to help them integrate into their communities, including practical information to help them understand and use local services as well as access opportunities to meet, mix and build social connections with neighbours and the wider community;
- Providing information for all visa application routes about life in modern Britain, so that those applying for a visa to come to the UK are aware of our values before they arrive;
- Revising the content of the Life in the UK test, which those seeking to live permanently in the UK must pass, giving greater prominence to British values;
- Strengthening the language requirements for those seeking to become British citizens, as well as keeping under review the impact of English language requirements on visas.

The Strategy and Action Plan are for England only as the majority of the policy areas are ones where responsibility is devolved to Scotland, Wales and Northern Ireland.

In Scotland, the New Scots refugee integration strategy<sup>113</sup> is a devolved strategy covering actions to support integration of refugees and people seeking asylum that are the responsibility of the Scottish Government, Scottish local authorities and third sector organisations. The key principle is that integration begins from day one of arrival, not just when leave to remain (or citizenship) is granted. This means that Scotland tries to ensure that refugees and people seeking asylum (where possible within the immigration rules) are able to access all of the services and support they need to integrate and rebuild their lives in Scottish communities from first arrival.

Citizenship is not included in the New Scots strategy. This is partly because it is a matter reserved to the UK Government, and New Scots is a devolved strategy (although it does reference some reserved matters), and also because citizenship was not raised as an issue of concern during engagement with stakeholders, refugees and people seeking asylum.

No.

**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?

The Integrated Communities Strategy Green Paper<sup>114</sup> notes that the citizenship ceremony itself is an important part of the process of becoming a British citizen as it allows a successful applicant to commit their loyalty to their new country, often in front of family and friends, and notes that accounts from participants suggest that they find ceremonies helpful and meaningful.

**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.

<sup>112</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/778045/Integrated\\_Communities\\_Strategy\\_Govt\\_Action\\_Plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778045/Integrated_Communities_Strategy_Govt_Action_Plan.pdf)

<sup>113</sup> <https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/>

<sup>114</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/696993/Integrated\\_Communities\\_Strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696993/Integrated_Communities_Strategy.pdf)

*Please explain:*

On acquiring British citizenship, a third country national becomes eligible to vote in all elections that cover the area where they live (regional and national).

Some third country nationals with permanent residence (indefinite leave to remain), or who do not need leave, may still be eligible to vote in regional and national elections without British citizenship if they are a qualifying Commonwealth citizen<sup>115</sup> resident in the UK.

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

*Please explain:*

Some especially sensitive posts, for example in the Security and Intelligence agencies, are reserved for British nationals.<sup>116</sup> There are however additional requirements including the need for one parent to be British or have substantial ties to the UK.<sup>117 118</sup>

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

*Please explain:*

British citizens are eligible to hold reserved occupations and official office in the UK. They are eligible for a British passport and consular support when outside of the UK (unless in a country of which they are also a national). This support includes issuing replacement emergency travel documents, providing help to victims of crime or people in hospital, and making special arrangements in cases of terrorism, civil unrest or natural disasters. This support is not available to other countries' nationals, even if they may have been legally living in the UK.

Those with permanent residence (indefinite leave to remain) will lose their status after an absence of two years from the United Kingdom.<sup>119</sup> British citizenship and the right of abode in the UK will not expire after absence from the United Kingdom.

**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?

*Please explain:*

As set out in the Integrated Communities Strategy Green Paper<sup>120</sup>, the UK Government believes it is important that newly arrived migrants are prepared for the responsibilities and opportunities of living in modern Britain, and that they have early opportunities to mix with people from other backgrounds and to participate in community life. It is, therefore, trialling in a number of areas participating in the Integration Areas programme, a package of information for recent migrants to help them integrate into their communities, including practical information to help them understand and use local services as well as access opportunities to meet, mix and build social connections with neighbours and the wider community. This is aimed at new migrants rather than specifically at those who have recently been granted citizenship.

<sup>115</sup> <https://www.electoralcommission.org.uk/i-am-a/voter/register-vote-and-update-your-details>  
<https://www.electoralcommission.org.uk/i-am-a/voter/which-elections-can-i-vote>

<sup>116</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/709162/Vetting\\_Clearance\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709162/Vetting_Clearance_Guidance.pdf) p.4

<sup>117</sup> <https://www.mi5.gov.uk/careers/applying-for-jobs/>

<sup>118</sup> <https://www.sis.gov.uk/eligibility.html>

<sup>119</sup> <https://www.gov.uk/guidance/indefinite-leave-to-remain-in-the-uk#can-my-indefinite-leave-to-enter-or-remain-be-taken-away>

<sup>120</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/696993/Integrated\\_Communities\\_Strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/696993/Integrated_Communities_Strategy.pdf)

In Scotland, no specific support is provided to refugees once they have been granted citizenship. The services and support that the Scottish Government and its partners provide to support integration of refugees and people seeking asylum are not dependent on having citizenship.

**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?

*Please explain:*

Not applicable.

**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.

*Please explain:*

No. Although plausible, no specific evidence could be located on whether the acquisition of British citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries.

## 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:*

*Please explain:*

The requirements to naturalise as a British citizen are established in UK law. Applicants must fulfil a minimum period of legal residence in the UK and be free of immigration time restrictions. They must be of sound mind and good character, and also have demonstrable knowledge of English and life in the UK. In 2018, of the 8,372 applications for citizenship rejected, 46% were rejected for not meeting the good character requirement. Successful applicants aged 18 or over must attend a citizenship ceremony where they will make an oath of allegiance (or solemn affirmation if preferred) to Her Majesty the Queen, Her Heirs and Successors and pledge to respect the UK's laws and values.

UK Visas and Immigration, part of the Home Office, is the organisation responsible for considering applications for British citizenship. Most applicants can apply online (those in Channel Islands, Isle of Man or a British Overseas Territory can only apply by post). Detailed information for applicants is available on the GOV.UK website, and UK Visas and Immigration offers telephone and in-person support to applicants who may lack the skills, confidence or access required to complete the online application form. This service does not offer immigration advice.

Applicants are required to submit biometric information (fingerprints and a digital photograph) as part of the application process. Occasionally, when an individual has arrived in the UK inadequately documented, the UK may not be able to assert the person's identity to a sufficiently high standard. There are situations where the UK has naturalised a person in an identity only to discover later on that the person is known in a different identity elsewhere.

As part of its Integration strategy, the UK Government recognises the importance of the pathway to citizenship for preparing new citizens for both the responsibilities and opportunities of living in modern Britain so that they are able to integrate into life in this country. To support this, the UK Government is seeking to strengthen the language requirement for citizenship and revise the content of the Life in the UK test to give greater prominence to British values.

## 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.*



statistical  
annex\_final.xlsx

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