



# 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 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 grant citizenship 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>

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- 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 Croatia

*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:*

## 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.  
 No. Please explain why:

*If no, please explain why:*

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

- Yes.  
 No. Please explain why:

*If no, please explain why:*

The Republic of Croatia signed, but did not ratify the European Convention on Citizenship from 1997. The European Convention on Citizenship recognizes the institute of citizenship on the origin and actual connection of an individual with the state. The Croatian Citizenship Act complies with that Convention. However, the law contains provisions that enable the acquisition of Croatian citizenship in the wider scope, including members of the Croatian people living abroad and immigrants from the Republic of Croatia. Such provisions are not in collision with the content of the Convention, but constitute the realization of the constitutional provision on the care and attention of the Croatian people abroad, in order to preserve their cultural and linguistic identity.

**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:*

The acquisition of Croatian citizenship is governed by the Law on Croatian Citizenship ("Official Gazette", No. 53/91, 70/91, 28/92, 113/93, 130/11 and 110/15), irrespective of the nationality of the person acquiring citizenship, or irrespective whether the applicant is the national of a Member State of the European Union or a third-country national. The Law on modifications and amendments to the Law on Croatian Citizenship ("Official Gazette", No. 102/19) enters into force on January 1, 2020. Article 9 of the Constitution of the Republic of Croatia, contains a provision whereby the Croatian citizen cannot be deprived of Croatian citizenship.

**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>22</sup>? If yes, what have been the main drivers for the change? (e.g. EU**

<sup>22</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.

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**/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:*

Regarding major changes it is worth mentioning the Law on modifications and amendments of the Law on Croatian citizenship ("Official Gazette", No. 130/11). It introduced changes in regard to conditions for acquisition of Croatian citizenship by naturalisation. The necessary length of stay in the Republic of Croatia was extended from 5 years to 8 years, and an approved permanent residence was prescribed.

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:*

In the legislative procedure, by adopting the Law on Modifications and Amendments to the Law on Croatian Citizenship (Official Gazette 130/11), the duration of the residence permit for acquiring Croatian citizenship was extended, in accordance with the previous answer, which was a major change.

Law on Modifications and Amendments to the Law on Croatian Citizenship (Official Gazette 102/19), which enters into force on 01.01.2020., facilitates the the conditions for acquiring Croatian citizenship of expatriates from the Republic of Croatia. The generation restriction in a straight line is canceled (until now it was a restriction to the 3rd degree of kinship), as well as the obligations of knowledge of the Croatian language and Latin script, Croatian culture and social order.

By acquiring Croatian citizenship, persons acquire both European Union citizenship and all the resulting rights.

No.

*Please elaborate:*

**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:*

The term nationality implies ethnic origin, as opposed to citizenship as a legal link between the individual and the state.

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:*

For the acquisition of citizenship, the principle of origin – *ius sanguinis* (blood connection) is fundamental. The acquisition of Croatian citizenship is related to the national status of one or both parents at the time of the child's birth. In this way, Croatian citizenship can be acquired by a child whose parents are Croatian citizens at the time of the child's birth; (article 4 (1)), if one of his parents is a Croatian citizen at the time of the child's birth and the child is born in the Republic of Croatia; if one of the parents is a Croatian citizen at the time of the child's birth, the other parent without citizenship or of unknown citizenship, and the child is born abroad. (Article 4 (1) (2) and (3)). Paragraph 2 of the same Article states that a child of foreign citizenship or without citizenship acquires Croatian citizenship by origin if he has been adopted by Croatian parents, pursuant to provisions of a special law. Such a child is considered to be a Croatian citizen from the moment of his birth. In accordance with Article 5, paragraph 1, a child born abroad, one of whose parents is a Croatian citizen at the moment of the child's birth, acquires Croatian citizenship by origin if the child is registered for Croatian citizenship by 18 years of age at a competent authority of the Republic of Croatia abroad or in the Republic of Croatia, or if he resides in the Republic of Croatia.

If the child does not meet one of these assumptions, he acquires Croatian citizenship if he otherwise would remain stateless. According to statutory changes, the age limit is 21. ***Croatian citizenship by the principle of origin can be acquired by a person over 21 years of age, if he submits a request within two years from the date of entry into force of stated amendments***

*ius soli*. Please explain:

Unconditional *ius soli*.

*Please explain:*

Conditional *ius soli*.<sup>23</sup>

*Please explain:*

The acquisition of Croatian citizenship by birth in the territory of the Republic of Croatia, according to the principle "*ius soli*", is governed by the Article 7 of the Croatian Citizenship Act. According to the aforementioned provisions, a child born or found within the territory of the Republic of Croatia, whose both parents are unknown or of unknown citizenship, acquires Croatian citizenship. The child's Croatian citizenship will cease if, by his fourteenth birthday, it is confirmed that both of his parents are foreign citizens.

Automatic double *ius soli*.<sup>24</sup>

<sup>23</sup> This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

<sup>24</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

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Please explain:

Conditional double *ius soli*.<sup>25</sup>

Please explain:

Mixed *ius soli* and *sanguinis*.

Please explain:

Other.

Please explain:

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

By ordinary naturalisation.

Please explain:

Article 8 of the The Croatian Citizenship Act prescribes the regular way of acquiring Croatian citizenship by naturalization. According to paragraph 1 of the aforementioned Article a foreigner can acquire Croatian citizenship by naturalization if he has submitted a request for Croatian citizenship and fulfils the following requirements:

1. he is 18 years old and he is not deprived of his legal capacity; 2. he is dismissed from his foreign citizenship, or he submits proof that he will acquire dismissal if granted Croatian citizenship; 3. he has lived and has had a registered residence in the Republic of Croatia until the submission of the request for at least 8 years in continuation and has been granted foreigner status on permanent residence; 4. he is proficient in the Croatian language and Latin script, and is familiar with the Croatian culture and social arrangement; 5. it can be concluded from his behaviour that he respects the legal order and customs of the Republic of Croatia. **Statutory amendments do not require legal capacity, and with respect to the legal order, it is required that the foreigner has paid the overdue public duties and that there are no security obstacles for his acceptance into Croatian citizenship.**

<sup>25</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.

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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:*

Croatian citizenship by naturalization in a privileged way can be acquired by: A foreign citizen married to a Croatian citizen, who has been granted permanent residence within the territory of the Republic of Croatia and who lives in the Republic of Croatia (Art. 10), an emigrant, his descendants up to the third degree of lineal kinship and their spouses (Art. 11), a foreigner whose acceptance to Croatian citizenship would be of interest to the Republic of Croatia (Art. 12) and his spouse, in accordance with the opinion of a competent ministry on whether an interest for the acceptance of the foreigner exists; a Croatian citizen who has requested and received dismissal from Croatian citizenship in order to acquire foreign citizenship may acquire Croatian citizenship again, (Art. 15), a person who belongs to the Croatian people with no domicile in the Republic of Croatia (Art. 16).

By declaration/notification.

*Please explain:*

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

*Please explain:*

**Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?**<sup>26</sup> *This question links to Statistical Annex 1.2.*

*Please elaborate:*

The Statistical Annex, under the heading "Other", provides information on persons who have acquired Croatian citizenship under Article 11 of the Law on Croatian Citizenship - Expatriates from the Republic of Croatia and under Article 16 of the same Act - members of the Croatian people residing abroad. According to the statistics provided, these legal bases are the most common ways to acquire Croatian citizenship.

<sup>26</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.

## 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:*

Article 8 of the Croatian Citizenship Act prescribes the regular way of acquiring Croatian citizenship by naturalization. According to paragraph 1 of the aforementioned Article, a foreigner can acquire Croatian citizenship by naturalization if he has submitted a request for Croatian citizenship and fulfils the following requirements:

1. he is 18 years old and he is not deprived of legal capacity; 2. he is dismissed from his foreign citizenship, or he submits proof that he will acquire dismissal if granted Croatian citizenship; 3. he has lived and has had a registered residence in the Republic of Croatia until the submission of the request for at least 8 years in continuation and has been granted foreigner status on permanent residence; 4. he is proficient in the Croatian language and Latin script, and is familiar with the Croatian culture and social arrangement; 5. it can be concluded from his behaviour that he respects the legal order and customs of the Republic of Croatia.

Respecting the legal order and customs in the Republic of Croatia and the absence of a security obstacle for the receipt of Croatian citizenship are the assumptions for the acquisition of Croatian citizenship by naturalization on all legal bases.

Certain legal provisions enable the acquisition of Croatian citizenship on favourable terms, without fulfilling other legal assumptions referred to in Article 8, which prescribes the regular ways of naturalization.

In a privileged way Croatian citizenship can be acquired by a person who was born within the territory of the Republic of Croatia and lives in the Republic of Croatia, and has been granted permanent residence, without seeking proof of knowledge of Croatian language and Latin alphabet, Croatian culture and social order ( Art. 9).

Without fulfilling the other legal requirements stated in Article 8, the Croatian citizenship can also be obtained by a foreign citizen married to a Croatian citizen, who has been granted permanent residence within the territory of the Republic of Croatia and lives in the Republic of Croatia (Art. 10); an emigrant, his descendants up to the third degree of lineal kinship and their spouses if they demonstrate knowledge of the Croatian language and Latin alphabet, Croatian culture and social order (Art. 11); a foreigner whose acceptance to Croatian citizenship would be of interest to the Republic of Croatia and his spouse, with the opinion of the competent ministry (Art. 12), the person whose Croatian citizenship has ceased by dismissal, if he has an authorised stay and lives in the Republic of Croatia (Art. 15), a person who belongs to the Croatian people with no domicile in the Republic of Croatia (Art. 16). A minor child acquires Croatian citizenship by naturalization if both parents acquire citizenship by naturalization or if one parent acquires citizenship by naturalisation, and the child lives in the Republic of Croatia and has an authorised stay and if one parent acquires citizenship by naturalisation and the other parent is stateless or of unknown nationality, and the child lives abroad. According to amendments, in Art. 11 no knowledge of Croatian language and Latin alphabet, Croatian culture and social order is required. For the spouse of the foreigner referred to in Article 12, it is required that he lives in the Republic of Croatia with the authorised stay for a period of one year.

*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:*

For the regular way of acquiring Croatian citizenship it is required: a registered stay for 8 years continuously before the application is submitted and the status of the foreigner on permanent residence (Article 8 of the Croatian Citizenship Act).

For the acquisition of Croatian citizenship for persons born in the Republic of Croatia and persons who are married to a Croatian citizen, it is required that they have permanent residence.

Those provisions shall be the same for all persons applying for citizenship, irrespective of their nationality status.

**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:*

*An uninterrupted stay of 8 years is required along with approved permanent residence, in accordance with the provisions of the Aliens Act. Records of approved temporary and permanent residence are kept by the Ministry of the Interior.*

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:*

Other.

*Please elaborate:*

The approved stay is not a presumption for the acquisition of Croatian citizenship for emigrants from the Republic of Croatia and their spouses (Art. 11), persons whose receipt is in the interest of the Republic of Croatia and their spouses (Art. 12), children whose parents acquire citizenship by naturalization (Art. 13.1) and members of the Croatian people residing abroad (Art.16)

**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:*

*For the acquisition of Croatian citizenship on legal grounds according to which the stay is a presumption for the acquisition of Croatian citizenship, it is required that the person with the approved permanent residence lives in the Republic of Croatia.*

No, holding a permit is sufficient.

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

Please elaborate:

Other:

Please elaborate:

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

Please elaborate:

*The type and duration of the authorised stay shall be determined by examining the official Records of the Ministry of the Interior.*

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

Yes.

Please elaborate:

No

Other:

Please elaborate:

According to Article 8 of the the Croatian Citizenship Act, in addition to an approved permanent residence, an uninterrupted stay of 8 years continuously until the application for the acquisition of Croatian citizenship is required.

### **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.*

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

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

*Please elaborate:*

For the acquisition of Croatian citizenship pursuant to Article 9 and 10 of the Croatian Citizenship Act, the presumption is an approved permanent residence at the time of submission of the application.

For the acquisition of citizenship in accordance with Article 8, it is required that at the time of submission of the application the person has the status of a foreigner on a permanent residence and that he has been granted his stay for 8 years continuously until the application. Such a previous stay may be temporary or permanent residence.

These provisions apply to all persons who acquire Croatian citizenship regardless of their nationality status.

- Refugee status. *Number of years:*
- Temporary residence permit. *Number of years:*
- Other protection statuses. *Number of years:*
- 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>27</sup>

- Yes.

*Please state the required level:*

For the regular way of acquiring Croatian citizenship, prescribed by Article 8 of the the Croatian Citizenship Act, the assumption of acquisition is knowledge of Croatian language and Latin alphabet, level B1.

For the acquisition of Croatian citizenship of emigrants from Croatia and their spouses knowledge of Croatian language and Latin alphabet is a prerequisite, but without the prescribed level. It is demonstrated by completing the application form for the acquisition of Croatian citizenship. In this way, the presumption also proves that persons who have been in the Republic of Croatia for at least 10 years are in refugee status and foreigners who had residence in the Republic of Croatia on 8 October 1991 and are beneficiaries of the return programme or renovation programme or housing programme, and the application is submitted pursuant to Article 8 of the Act.

- 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.)?

<sup>27</sup> Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

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

*Please explain:*

People who acquire Croatian citizenship by regular naturalisation (Article 8) have to prove the knowledge of the language by:

- Certificate of passing the exam of the Croatian language and Latin alphabet at a higher education institution, secondary school or adult education institution;
- Certificate of completion of primary, secondary or higher education in Croatia,
- Certificates from a foreign educational institution confirming that education is carried out according to the program in the Croatian language or a certificate of completion of the course of at least B1 level of Croatian language proficiency.

Emigrants from the Republic of Croatia and their spouses prove the knowledge of Croatian language by filling the application form for the acquisition of Croatian citizenship by birth.

Persons over 60 years of age do not have to fulfil this presumption. **According to statutory amendments, for emigrants from the Republic of Croatia, no knowledge of Croatian language is needed.**

**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:*

*When submitting an application, the person makes an oral statement in the Croatian language about their reasons for submitting the application. Communication between the applicant and the official in the course of proceedings in most cases is successfully carried out in the Croatian language.*

No.

### **Citizenship tests and commitments**

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

Yes.

*Please outline the main components of the test.*

*Persons who acquire Croatian citizenship by regular naturalisation, pursuant to Article 8 of the Croatian Citizenship Act, and emigrants from the Republic of Croatia and their spouses are filling out the questionnaire on the knowledge of Croatian culture and social order of the Republic of Croatia. Persons over 60 years of age do not have to fulfil this presumption. **According to legal changes, for Art. 11 knowledge of Croatian culture and social order is not necessary.***

No.

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

Yes.

*Please explain:*

*The official evaluates the questionnaire after completion.*

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.*

All persons who acquire Croatian citizenship must respect the legal order and customs in the Republic of Croatia.

No.

**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:*

No.

*Please explain:*

*The Croatian Citizenship Act does not contain a provision on the oath of allegiance. According to legal amendments, the person who acquires Croatian citizenship gives a solemn oath.*

#### **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.

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

*Please explain:*

People who acquire Croatian citizenship must respect the legal order and customs in the Republic of Croatia. In the procedures for obtaining Croatian citizenship, for the purpose of determining the above assumptions, the Ministry of Justice shall provide data on the final conviction of persons in the Republic of Croatia, while the competent municipal courts provide information whether the applicant is in the course of the criminal proceedings. The tax administration shall provide information on the existence of the tax debt.

In accordance with Article 42 of the Act on the Security Intelligence System of the Republic of Croatia ("Official Gazette", No: 79/06 and 105/06), for all persons being admitted to Croatian citizenship, a security check is carried out and the competent Security Agency shall submit its opinion if there is a safety obstacle for admitting a person to Croatian citizenship.

Each application also has to be accompanied by a conviction of impunity from the state of original nationality and from the State in which the permanent residence is authorised.

The aforementioned conduct shall be the same for all applicants, irrespective of their nationality.

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 following is considered as evidence: the confirmations of the Ministry of Justice and the competent courts, the confirmation of the tax administration and the confirmations of the competent foreign authorities on whether the person was punished abroad, the opinion of the Security Intelligence Agency received in electronic or written form.*

### **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:*

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:*

In the procedures for acquiring Croatian citizenship, no proof of the economic/financial situation of the applicant is required.

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

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

Yes.

*Please explain:*

No.

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

*Please explain:*

In the procedures for acquiring Croatian citizenship proof of housing for applicants is not required.

### **Others**

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

Yes.

*Please explain:*

No.

### **Section 2.3 Security**

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

Yes.

*Please explain:*

In accordance with Article 42 of the Act on the Security Intelligence System of the Republic of Croatia, for all persons admitted to Croatian citizenship a security check is carried out. The competent Security Agency shall submit its opinion on the existence or absence of a security obstacle for the receipt into the Croatian citizenship.

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:*

Each applicant for the acquisition of Croatian citizenship must fulfil the assumptions for the acquisition of Croatian citizenship prescribed by the Croatian Citizenship Act, depending on the legal basis of the application. The Act does not contain specific provisions for refugees. In accordance with Article 42 of the Act on the Security Intelligence System of the Republic of Croatia, for all persons admitted to Croatian citizenship a security check is carried out.

**Q20b.** Other beneficiaries of international protection statuses*Please explain:*

Each applicant for the acquisition of Croatian citizenship must fulfil the assumptions for the acquisition of Croatian citizenship prescribed by the Croatian Citizenship Act, depending on the legal basis of the application. The Act does not contain any special provisions for other beneficiaries of international protection. In accordance with Article 42 of the Act on the Security Intelligence System, for all persons admitted to Croatian citizenship a security check is carried out.

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

Each applicant for the acquisition of Croatian citizenship must fulfil the assumptions for the acquisition of Croatian citizenship prescribed by the Croatian Citizenship Act, depending on the legal basis of the application. The Act does not contain any special provisions for elderly or disabled persons. In accordance with Article 42 of the Act on the Security Intelligence System security check is carried out for all persons admitted to Croatian citizenship.

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

A security check is not required for minors. Other listed categories of persons must fulfil the security assumptions and other assumptions prescribed by the Croatian Citizenship Act.

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

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

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

*Please describe:*

The way of applying for the acquisition of Croatian citizenship and the implementation of the administrative procedure and decision making are the same for all legal bases and irrespective of the nationality of the person.

According to Article 24 of paragraph 3 of the Croatian Citizenship Act, the request for the acquisition of Croatian citizenship by birth is submitted personally in the police administration or police station. Persons with disabilities may apply by means of a legal representative or an authorised proxy. The application can also be submitted in the diplomatic mission or consular post of the Republic of Croatia. The Ministry of the Interior performs the tasks related to the acquisition of Croatian citizenship. The Croatian citizenship by naturalization is acquired on the day of delivery of the decision on the receipt to Croatian citizenship.

The Ministry of the Interior will reject the request for the acquisition of Croatian citizenship if the statutory assumptions are not fulfilled. The application may be reject, although the assumptions are fulfilled, if it is assessed that there are reasons of interest to the Republic of Croatia, which require the request for the acquisition of Croatian citizenship to be rejected.

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

Yes.

No.

*Please explain:*

According to the provisions of Article 13 of the Croatian Citizenship Act, a minor child acquires the Croatian citizenship by naturalization if the Croatian citizenship by naturalization is acquired by both parents, if the citizenship by naturalization is acquired by only one of the parents and the child lives in the Republic of Croatia and has authorised stay/**statutory modifications prescribe permanent residence**/or if citizenship by naturalisation is acquired by only one of the parents and the other parent is stateless or of unknown nationality, and the child lives abroad. The procedure shall be carried out on the basis of the submitted request.

A child acquires Croatian citizenship by origin if both of his parents are Croatian citizens at the time of his birth or if one parent is a Croatian citizen, with the fulfillment of other statutory requirements (Art. 4 and 5 of the Croatian Citizenship Act.). See reply under Q6.

**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:*

In the procedures for acquiring Croatian citizenship, for the purpose of determining the presumption of respecting the legal order of the Republic of Croatia, the Ministry of Justice shall provide data on the final conviction of persons in the Republic of Croatia, while the competent municipal Courts will provide information on whether the criminal proceedings are pending against the applicant. The tax administration shall provide information on the existence of the tax debt. The Security and Intelligence Agency shall provide an opinion on the existence or absence of security obstacles for the receipt of Croatian citizenship.

For the acquisition of Croatian citizenship by persons whose receipt is in the interest of the Republic of Croatia (Art. 12), the opinion on the existence of such interest is given by the competent ministry, depending on the activity that the foreigner carries out.

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

- Yes.
- No.

*Please explain:*

According to Article 24, paragraph 3 of the Croatian Citizenship Act, the request for the acquisition of Croatian citizenship by naturalisation is submitted personally in the police administration or police station. Persons with disabilities may apply by means of a legal representative or an authorised proxy. The application can also be submitted in the diplomatic mission or consular post of the Republic of Croatia. The Act does not provide for the possibility of submitting an application online.

**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 the prescribed application form for the acquisition of Croatian citizenship and a questionnaire, the following documents are required:

- CV, birth certificate, and for married persons the marriage certificate, proof of citizenship;
- Criminal Records Check of the competent foreign authority of the state of nationality of the applicant in which he has permanent residence;
- Valid identification document, certified copy
- If the application is made for juvenile children, an excerpt from the birth register and proof of citizenship shall be attached.

Other Documents (emigrants – documents which prove emigration from the territory of the Republic of Croatia and members of the Croatian people – Personal declaration)

**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:*

*The Croatian Citizenship Act does not prescribe the duration of the procedure for obtaining Croatian citizenship. The duration of the procedure depends on the complexity of the factual situation, cooperation with other competent authorities (Security and Intelligence Agency, Ministry of Justice, competent courts, tax administration), as well as on the participation of the parties involved. The average duration of the procedure is 6 months. The requirements for minors, members of the Roma population, stateless persons are addressed as a matter of priority.*

**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:*

According to tariff number 12 of the Regulation on the tariff of administrative fees ("Official Gazette", No: 8/17, 37/17, 129/17 and 18/19), a fee of HRK 1,050.00 is paid, irrespective of the legal basis for obtaining Croatian citizenship for a decision on the receipt to Croatian citizenship.

**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:*

Please see answer to Q11.

**Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?<sup>28</sup>**

*Please explain:*

For the acquisition of Croatian citizenship, it is required to fulfill the applicable conditions prescribed by the Croatian Citizenship Act. Conditionally discretionary decision-making is possible for the acquisition of Croatian citizenship on the basis of Articles 11 and the 16 of the Croatian Citizenship Act (Emigrants and members of the Croatian people abroad).

**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*

*The applicant for the acquisition of Croatian citizenship must have a valid identification document. The identity is determined while submitting the application.*

**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.

<sup>28</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.

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

*Please explain:*

*A party may lodge a complaint to the competent court against a decision denying the request for the acquisition of Croatian citizenship. The justification for the decision specifies the reasons why the application was rejected.*

No.

*Please explain:*

**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:*

1. *Lack of evidence of belonging to the Croatian people (Art. 16 of the Croatian Citizenship Act);*
2. *Security obstacles;*
3. *Punitive;*
4. *Tax debt;*
5. *Absence of residence in the prescribed type or duration.*

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

Yes.

*Please explain:*

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.



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

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

Persons who have been granted temporary or permanent residence in the Republic of Croatia, when regulating their status, in police administrations and stations, are introduced to the conditions for the acquisition of Croatian citizenship.

Legal provisions regulating the acquisition of Croatian citizenship with detailed instructions on the procedure are available on the website of the Ministry of the Interior, Ministry of Foreign and European Affairs, Ministry of Administration.

No.

**Q34. Is governmental support provided to applicants during the application process?<sup>29</sup> Have any good practices been identified in your Member State?**

Yes.

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

Government support is presented through action plans addressing the status issues of the Roma population and through the adoption of legal provisions facilitating return, housing and regulating the status of persons residing in the Republic of Croatia on 8 October 1991 (the Aliens Act and the Croatian Citizenship Act).

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.

<sup>29</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.

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

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

*All persons who acquire Croatian citizenship by regular naturalisation with the registered residence for 8 years continuously until the application and the approved permanent residence (Art. 8) and persons born in the Republic of Croatia, who have permanent residence (Art. 9), shall provide proof of termination of foreign citizenship, irrespective of their nationality status.*

No.

*Please explain the reasoning if possible:*

*For the acquisition of Croatian citizenship on all other legal bases, no termination of foreign citizenship is required (acquisition of Croatian citizenship on the basis of marriage with a Croatian citizen, persons of interest for the Republic of Croatia, minors, emigrants, members of the Croatian people).*

Other.

*Please explain:*

**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:*

If a foreign country does not allow a discharge or sets assumptions that cannot be complied with, a claim of the person who made the request is sufficient, assuming that while acquiring Croatian citizenship, he is discharged from foreign citizenship.

**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:*

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:*

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.*

*This way, it seeks to help address demographic issues through facilitated process of obtaining citizenship for members of the Croatian people abroad and Croatian emigrants. In relation to members of the Croatian people living abroad, especially in neighbouring countries, the aim is to strengthen their social and economic status and to encourage them to remain in these countries.*

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.

No.

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

After the person fulfils the statutory condition of the length and type of authorised stay in the Republic of Croatia, he can apply for the acquisition of Croatian citizenship by naturalisation. Through legislative activities, Article 19 of the Act on amendments to the Croatian Citizenship Act ( "Official Gazette", No. 130/11), returnees to the Republic of Croatia are allowed to acquire Croatian citizenship under favorable conditions. For people who had permanent residence in the Republic of Croatia on October 8, 1991, the necessary length of stay in the procedures for the acquisition of Croatian citizenship is recognised, provided that they have been granted authorised residence in the Republic of Croatia. Also, the action plan facilitated the naturalization of the Roma population, whose requirements are addressed as a matter of priority and provided them with the necessary legal assistance.

In Croatia, the goal of both Action Plans for Integration adopted to date (for the periods 2013-2015 and 2017-2019), which can be taken as a form of the national integration policy, was to ensure some fundamental rights guaranteed by the Aliens Act and, much more specifically, the International and Temporary Protection Act. These rights, as derived from the Acts, include: (1) residence in Croatia; (2) family reunification; (3) accommodation; (4) work; (5) health care; (6) education; (7) freedom of religion; (8) free legal aid; (9) social welfare; (10) assistance with integration into society; (11) acquisition of property; and (12) **obtaining Croatian citizenship.**

The Action Plan for the Integration of Persons Granted International Protection for the Period from 2017 to 2019, which is currently in effect in Croatia, doesn't address the citizenship acquisition specifically, but it provides for a series of integration measures, whereby it defines an institutional framework for Croatian integration system. Accordingly, great importance is attached to encouraging interdepartmental and intersectorial operation and collaboration with a view to raising awareness about the existing resources and capacities, identifying needs and expectations, and integrating different vertical and horizontal levels of decision-making and implementing integration measures in local communities.

**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?**

For people who have acquired Croatian citizenship, it has facilitated access to the labour market and education.

Foreigners on permanent or long-term stay have open access to the labour market, so there should not be additional administrative obstacles for these groups of foreigners compared to Croatian citizens, if all the other conditions are met. Access to civil/public service, where Croatian citizenship is one of eligibility criteria, is an exception. Generally, knowledge of Croatian language is among main prerequisites for integration into the labour market, but since it is a precondition for granting permanent stay, there shouldn't be any differences regarding this criteria between foreigners granted permanent stay and those that have acquired citizenship.

There is a lack of research or evaluation evidence related specifically to acquisition of citizenship in Croatia. The studies undertaken to date have been more focused on analysing the legal framework for the integration of refugees or integration policy analysis ( Koska, 2015 ). It should be noted that there has been some research into the integration of asylum beneficiaries in Croatian society, but it is not so extensive, systematic and sustained. In recent years there have been several studies on attitudes toward asylum seekers and challenges in integration (for example, Ajduković et al, 2019 )

The Migrant Integration Policy Index (MIPEX) is a analytical tool that measures policies to integrate migrants in all EU Member States, Australia, Canada, Iceland, Japan, South Korea, New Zealand, Norway, Switzerland, Turkey and the USA. 167 policy indicators have been developed to create a rich, multi-dimensional picture of migrants' opportunities to participate in society. The index is a tool to evaluate and compare what governments are doing to promote the integration of migrants in the countries analysed. Some of the indicators are related to eligibility, conditions, and rights associated with permanent residence. Indicator results for Croatia and other examined countries are available online.

**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.

*Please explain:*

The register of voters in Croatia is defined by law. All Croatian citizens aged 18 and above are eligible to vote at elections. EU citizens with permanent residence in Croatia can request to be added to the voting register in order to vote at local and EU parliamentary elections.

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

*Please explain:*

Jobs in civil service/public service, the military and in the police are open almost exclusively to persons holding Croatian citizenship. Admission to the civil service of a person who is a foreign citizen or stateless person, in addition to meeting the conditions prescribed by a special law, requires prior approval of the central body of state administration competent for civil servants.

- a) A third-country national may work on the basis of a stay and work permit or a work registration certificate that can be issued on the basis of an annual quota and outside the annual quota. The Aliens Act (Official Gazette 130/11, 74/13, 69/17, 46/18) defines the exceptions under which foreigners may work without a stay or work permit, i.e. without work registration certificate. The procedure for issuing a stay and work permit is under the jurisdiction of the Ministry of the Interior.
- b) Persons under international protection may work without a stay and work permit, i.e. without a work registration certificate.
- c) Nationals of the Member States of the European Economic Area (EEA) and nationals of the Swiss Confederation may provide services without a stay or work permit, i.e. without a work registration certificate.

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

*Please explain:*

Benefits exist in the area of health insurance and social security.

Regarding housing: The citizens of other countries, outside the EU, if they are a resident of the country that has a reciprocity agreement with Croatia, are eligible to acquire real estate with the approval of the Ministry of Justice.

Regarding education: The right to education is a constitutional right for all children staying in Croatia. According to the Act on International and Temporary Protection (LITP), only child applicants (i.e. those under 18) are entitled to primary and secondary education. Applicants who have begun to exercise the right to secondary education are allowed to continue secondary education even after they have turned 18. According to the LITP, the right to primary and secondary education is granted to child applicants under the same conditions as for Croatian nationals, and children can access education within 30 days of lodging an application.

Pursuant to Social Welfare Act (Official Gazette 157/13, 152/14, 99/15, 52/16, 16/17, 130/17), foreigners and stateless persons with permanent residence in the Republic of Croatia have all rights in the social welfare system as well as citizens of the Republic of Croatia residing in the Republic of Croatia. The procedure for the recognition of rights under the social welfare system is the responsibility of Social Welfare Centers for the area in which the applicant has residence or is registered.

The rights in the social welfare system under the above Act are:

1. a guaranteed minimum fee,
2. compensation for housing costs,
3. the right to fuel costs,
4. compensation for the personal needs of the accommodation user,
5. one-off fees,
6. educational fees;
7. personal disability allowance,
8. allowance for care and assistance,
9. the status of the parent of the carer or the status of the carer,

**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:*

No support is specifically given to persons who acquired 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:*

On the Web site of the Ministry of the Interior, the Ministry of Foreign and European Affairs and other competent authorities, there are available information for the citizens of the Republic of Croatia on their rights as nationals of the European Union.

**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.

No.

*Please explain:*

## Section 6: Conclusions and lessons learned

1. 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 Croatian Citizenship Act is based on the provisions that ensure a genuine connection of an individual with the state.*

*Thus, for the acquisition of Croatian citizenship by birth, regular naturalization and in cases of privileged acquisition of Croatian citizenship, persons born in the territory of the Republic of Croatia, subject to other legal requirements, are also required to be released from foreign citizenship. The aforementioned legal provision would ensure the avoidance of dual and multiple citizenship.*

*Also, for a regular way of acquiring Croatian citizenship by birth, a stay in the Republic of Croatia for a period of eight years is prescribed and is related to a permanent residence permit. In addition to fulfilling the legal prerequisite of the knowledge of the Croatian language, Latin script and culture, knowledge of the social order of the Republic of Croatia is required.*

*Full integration into society is ensured through the Act on Amendments to the Croatian Citizenship Act, which comes into force on 1 January 2020. Permanent residence is also required for receipt into Croatian citizenship by naturalisation of a minor child whose one parent acquires Croatian citizenship. The presumption of respecting the legal order of the Republic of Croatia is supplemented by the obligation to settle due public duties and the absence of security obstacles for the admission of a person to Croatian citizenship.*



## 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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