



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

## Common Template for EMN Study 2019

Final draft version: 5 July 2019

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

**Action:** EMN NCPs are invited to submit their comments on this Common Template by **Wednesday, 17 July 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. 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>4</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 (or multiple) 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),

<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> 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)

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.

## 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. 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.

Member States, having due regard to EU law, are responsible for laying down the conditions for the acquisition of citizenship.<sup>5</sup> However, persons who are citizens of a Member State also enjoy the rights of EU citizenship, including mobility across all Member States, and the determination of citizenship by one Member State therefore implies a responsibility to all others. Awarding citizenship is a prerogative of the Member States, which they must exercise having due regard to EU law.<sup>6</sup> Citizens of a Member State also enjoy the rights of EU citizenship,<sup>7</sup> including mobility across all Member States. Thus, the determination of citizenship by one Member State implies a responsibility to all others, meaning that 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.

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<sup>5</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>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> The Treaty of Maastricht established 'Citizenship of the Union' in 1991, an additional legal status enjoyed by persons holding the nationality of a Member State

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.

#### 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?
- Are dual or multiple citizenships 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 include all third-country nationals, including second- and third-generation migrants.

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"

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<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)

- 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

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.
- **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

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

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

<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)

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;
- 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

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<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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## 9 TIMETABLE

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

| <b>Date</b>     | <b>Action</b>                                |
|-----------------|--|
| 17 April        | Circulation of the draft 1 study spec.       |
| 25 April 2019   | First Advisory Group meeting                 |
| 10 May          | Circulation of the second draft to AG        |
| 24 May          | Deadline for comments                        |
| 25 June         | Circulation of the final draft to AG and COM |
| 27 June         | Deadline for comments                        |
| 5 July          | Circulation to all NCPs and COM              |
| 17 July         | Deadline for comments                        |
| Week of 24 July | Launch                                       |
| 24 November     | Submission of national reports by EMN NCPs   |
| 24 December     | First synthesis report to COM                |
| 8 January       | Deadline for comments                        |
| 13 January      | Circulation of the first SR to all NCPs      |
| 27 January      | Deadline for comments                        |
| 2020            | Publication                                  |

## 10 TEMPLATE FOR NATIONAL CONTRIBUTIONS

### **Section 1: Legal and policy overview**

**Q1. As regards international law, is your Member State a party to the:**

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

- Yes.  
 No. *Please explain why:*

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

- Yes.  
 No. *Please explain why:*

**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:

Constitution of the Portuguese Republic - Articles 15 (Foreign Nationals, Stateless Persons, European Citizens) and 26 (Other Personal Rights): the principle is that foreigners and stateless persons should be treated in the same way as Portuguese citizens, except with regard to the exercise of public functions, which are not predominantly of a technical nature and to the rights and duties reserved by the Constitution and the law exclusively to Portuguese citizens;

Civil Code - Article 14 (Legal Condition of Foreign Nationals): the same general principle regarding civil rights;

Nationality Law (LN) - Law No. 37/81, of 03/10, which contains the following amendments: Law No. 25/94, of 19/08; Decree-Law No. 322-A/2001, of 14/12; Organic Law No. 1/2004, of 15/01; Organic Law No. 2/2006, of 17/04; Organic Law No. 1/2013, of 29/07; Organic Law 8/2015, of 22/06, and Organic Law 9/2015, of 29/07; Organic Law 2/2018, of 05/07, and

Portuguese Nationality Regulation (RN) - Decree-Law No. 237-A/2006, of 14/12, which contains the following amendments: Decree-Law No. 43/2013, of 01/04; Decree-Law no. 30-A/2015, of 27/02, and Decree-Law no. 71/2017, of 21/06 (a new amendment is expected due to Organic Law no. 2/2018, of 05/07).

**Q3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in your country undergone any major changes in recent years? 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.)**

- Yes. Please elaborate:

Organic Law No. 1/2013, of 29 July - which allows the exercise of the right to return by descendants of Sephardic Jews of Portuguese origin who so wish, upon the acquisition of Portuguese nationality by naturalisation.

Organic Law No. 8/2015, of 22/06 - established new grounds - non-involvement in activities related to the practice of terrorism - for granting nationality and opposing the acquisition of nationality.

Organic Law No. 9/2015, of 29/07 - extended Portuguese nationality by origin to the grandchildren of Portuguese individuals born abroad. Previously, they could only submit an application for naturalisation, the effects of which were not felt until after the nationality was registered.

Decree-Law No. 71/2017, of 21/06 - introduced improvements to the procedures for granting and acquiring nationality by simplifying their processing. Defines the circumstances in which the Central Registry Office automatically recognises the existence of an actual connection to the national community of those interested in acquiring Portuguese nationality.

Organic Law No. 2/2018, of 05/07 - extended access to nationality by origin and naturalisation to people born in Portuguese territory.

- 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? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).**

Yes. Please elaborate:

Citizens' movements and two political parties represented in parliament have been defending an unconditional *ius soli*.

No. Please explain:

**Q5. In the language(s) of your Member State, is there a distinction between nationality and citizenship? If so, what are the differences?**

Yes. Please elaborate:

The term 'nationality' is used in diplomas that deal with these matters, but in the Constitution we find the word 'citizenship'.

However, it has been understood that they are not entirely coincident, referring to different ways of looking at the same relationship.

Thus, citizenship is associated with the set of rights and duties enjoyed by individuals who have a special legal relationship with the State as regards nationality.

Whereas the term nationality refers to the legal bond that connects a person to a State (because he/she was born there, because he/she descended from one of its nationals or because he/she acquired nationality in one of the ways provided for by law).

There has therefore been an erosion of the concept of citizenship strictly linked to that of nationality, given that foreign nationals are granted typical citizenship rights, nationality is no longer an indispensable prerequisite for the exercise of citizenship rights that were previously exclusive to nationals (e.g., EU citizenship, lusophone citizenship, principle of equal treatment)

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:

***Ius soli***. Please explain:

Unconditional *ius soli*. Please explain:

Conditional *ius soli*.<sup>22</sup> Please explain:

Automatic double *ius soli*.<sup>23</sup> Please explain:

Conditional double *ius soli*.<sup>24</sup> Please explain:

**Mixed *ius soli* and *sanguinis***. Please explain:

The Portuguese system is a mixed system with a predominance of *jus sanguinis*.

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<sup>22</sup> This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

<sup>23</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>24</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.



It is mixed because it reconciles features directly based on each of the two criteria.

There is a predominance of *jus sanguinis* because while there is a general principle that the children of Portuguese citizens are Portuguese, regardless of where they are born, it cannot be said, on the other hand, that any individual born in Portuguese territory acquires Portuguese nationality regardless of the nationality or residence of his/her parents.

However, *ius solis* has been progressively revalued, namely in considering Portuguese of origin all those who were born in Portugal, when the foreign parent was also born in Portugal or when, at birth, the foreign parent had been legally residing in Portugal for at least two years.

The Portuguese framework of the last decade has been considered innovative in the international context, namely by promoting a better integration of immigrants, being more inclusive and accessible to the descendants of immigrants born in Portugal, reconciling and reinforcing the principle of *ius soli* - through the recognition of citizenship status for individuals who were born in the country and who have ties with Portugal -, with the principle of *ius domicilii* - by making naturalisation accessible in countless situations of vulnerability of children and young people who can now prove their residence in the country, namely based on the number of years of school attendance (in these cases, instead of years accumulated with residence permits) - without neglecting the pre-existing principle of *ius sanguinis* which essentially protected access to Portuguese nationality by descendants of Portuguese emigrants.

With the conciliation of these three principles, this framework was also underpinned by the recognition of the demographic changes occurred in the country, and the role that immigrants can play - also as new Portuguese citizens - within the scope of the country's ageing and low fertility demographics.

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 elaborate.**

- By ordinary naturalisation. *Please explain:* individuals of legal age or emancipated under Portuguese law who have been legally resident in Portuguese territory for at least five years, who have sufficient knowledge of the Portuguese language, who have not been convicted with a provisional or final sentence of imprisonment of three years or more and who do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(1) LN).
- Through special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations) *Please explain:*
- minors, born in Portuguese territory, children of foreign nationals, provided they have sufficient knowledge of the Portuguese language, have not been convicted with a provisional or final sentence of imprisonment of 3 years or more, and do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism and provided that, at the time of the application, one of the following conditions is met: one of the parents has been residing in the country, regardless of title, for at least five years immediately prior to the application or the minor has completed at least one cycle of primary or secondary education in the country (Article 6(2) LN);
  - child or young person under the age of 18, cared for by a public, cooperative, social or private institution with a cooperation agreement with the State, following a definitive promotion and protection measure applied in a promotion and protection process, at the request of the Public Prosecution Service (Article 6(3) LN);
  - individuals of legal age or emancipated under Portuguese law who had Portuguese nationality and who, having lost it, have never acquired another nationality, provided that they have not been convicted with a provisional or final sentence of imprisonment of 3 years or more and do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(4) LN);
  - individuals of legal age or emancipated under Portuguese law who were born in Portuguese territory, who have sufficient knowledge of the Portuguese language, who have been residing in the country, regardless of title, for at least five years, and who are children of foreign nationals residing in the country, regardless of title, at the time of their birth, provided that they have not been convicted with a provisional or final sentence of imprisonment of 3 years

or more, and do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(5) LN);

- individuals of legal age or emancipated under Portuguese law who, not being stateless, had Portuguese nationality, those considered to be descendants of Portuguese nationals, members of communities of Portuguese descent and foreign nationals who have provided or are called upon to provide relevant services to the Portuguese State or to the national community, provided that they have not been convicted with a provisional or final sentence of imprisonment of 3 years or more, and do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(6) LN);
- individuals of legal age or emancipated under Portuguese law who descent from Portuguese Sephardic Jews, by demonstrating the tradition of belonging to a Sephardic community of Portuguese origin, based on proven objective requirements of connection to Portugal, namely surnames, family language, direct or collateral descent, provided that they have not been convicted with a provisional or final sentence of imprisonment of 3 years or more, and do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(7) LN);
- individuals of legal age or emancipated under Portuguese law who are ancestors of Portuguese citizens by origin, who have been residing in the country, regardless of the title, for at least five years immediately prior to the application and provided that ancestry was established at the time of birth of the Portuguese citizen, who have sufficient knowledge of the Portuguese language, who have not been convicted with a provisional or final sentence of imprisonment of 3 years or more, and who do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism (Article 6(8) LN).

**By declaration/notification. Please explain:**

- Minor or incapacitated children of a father or mother who acquired Portuguese nationality may also acquire it by declaration (Article 2 LN), provided that there are no grounds for opposing the acquisition of nationality (Article 9 LN);
- A foreign national married to or living in a legally recognised non-marital partnership with a Portuguese national for more than three years may acquire Portuguese nationality by means of a declaration made on the basis of marriage (Article 3 LN), provided that there are no grounds for opposing the acquisition of nationality (Article 9 LN);
- Those who have lost Portuguese nationality due to a declaration made during a period of incapacity, may acquire, when able to do so, by means of a declaration (Article 4 LN), provided that there are no grounds for opposing the acquisition of nationality (Article 9 LN).

**other, e.g., reinstatement of former citizenship; for political or other discretionary reasons. Please explain:**

A woman who lost her Portuguese nationality due to having acquired a foreign nationality, on the grounds of marriage to a foreign national, under Law No. 2098, of 29 July, 1959, and previous legislation, may regain her Portuguese nationality by means of a declaration – Article 30 of the Nationality Law and Article 65 of the Nationality Regulation.

Those who, having had Portuguese nationality, lost it because they voluntarily acquired a foreign nationality, under Law No. 2098, of 29 July, 1959, and previous legislation, may acquire Portuguese nationality by means of a declaration, when the definitive registration of the loss of nationality has been made - Article 31(1)(b) of the Nationality Law and Article 67 of the Nationality Regulation.

The Government grants Portuguese nationality, by naturalisation, to individuals who have had Portuguese nationality and who, having lost it, have no other nationality, provided that they cumulatively meet the following requirements:

Are over 18 years of age (or emancipated under Portuguese law) and have not been convicted with a provisional or final sentence for criminal offences punishable with imprisonment for three years or more, in accordance with the Portuguese law (e.g., homicide, offence against physical integrity, robbery, theft, drug trafficking).

**Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?<sup>25</sup>**

*Please elaborate:* By ordinary naturalisation. The administrative data associated with processes for granting Portuguese nationality allow us to emphasize that the acquisition of Portuguese nationality, as a derived nationality, is the privileged channel for access to Portuguese citizenship, and is also an instrument for the integration of immigrants and a way of ensuring social cohesion in host societies.

**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?**

Article 6 LN - Requirements

1 - The Government grants Portuguese nationality, by naturalisation, to foreign nationals who cumulatively meet the following requirements:

- a) Are of legal age or emancipated under Portuguese law;
- b) Have been legally residing in Portuguese territory for at least five years;
- c) Have sufficient knowledge of the Portuguese language;
- d) Have not been convicted with a provisional or final sentence of imprisonment of 3 years or more;
- e) Do not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism, in accordance with the respective law.

*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 or nationality 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:*

Legal residence in Portuguese territory for at least five years (Article 6(1) LN)

**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:*

Legal residence, i.e., with their situation regularised before the Portuguese authorities, under any of the titles, visas or permits provided for in the entry, stay, departure and expulsion of foreign nationals scheme and the right to asylum scheme (Article 15(1) and (2) LN).

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<sup>25</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.

- 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:*

**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:*
- No, holding a permit is sufficient. *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 Foreigners and Borders Service (SEF) issues the document proving legal residence in Portuguese territory based on the information kept on file or obtained in inquiries carried out for this purpose (Article 25 RN)

### **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: 5 years*
- Refugee status. *Number of years: 5 years*
- Temporary residence permit. *Number of years: 5 years*
- Other protection statuses. *Number of years:*
- Other status: *Please elaborate:*

### **Period of absence allowed**

**Q11. Can the period of residence be interrupted? If yes, how long can this interruption last?**

- Yes. *Please elaborate:*

*For the purposes of counting legal residence periods, the sum of all periods of legal residence in Portuguese territory, consecutive or not, shall be considered, provided that they have elapsed within a maximum of 15 years (Article 15(3) LN).*

- No
- Other: *Please elaborate:*

## **Section 2.2 Conditions**

### **Language**

**Q12. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?**<sup>26</sup>

Yes. *Please state the required level:*

A2 or higher.

Its existence is presumed for applicants who were born in or are nationals of Portuguese-speaking countries.

No.

**Q12a.** 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:*

Knowledge of the Portuguese language can be verified in one of the following ways:

a) Certificate of qualification issued by a public, private or cooperative educational establishment recognised in accordance with the law, provided that its holder has successfully attended Portuguese as a curricular unit/subject for least two academic years;

b) Certificate of approval in a Portuguese language exam carried out in public schools, when taken in Portuguese territory, or in facilities accredited by Camões - Instituto da Cooperação e da Língua, I.P., when taken abroad;

c) Certificate in Portuguese as a foreign language, issued following an exam taken at an assessment centre for Portuguese as a foreign language, recognised by the Ministry of Education and Science;

d) Certificate of qualifications attesting completion of level A2 or higher, issued by a public education institution, employment and training centres, and centres with protocols with IEFP - Instituto do Emprego e Formação Profissional, I.P.

In the case of persons with serious health problems or disabilities with a degree of disability duly substantiated by a multi-purpose medical certificate issued in accordance with the Portuguese law, or persons aged 60 and over who cannot read or write, the proof of knowledge of the Portuguese language must be adjusted to their ability to demonstrate knowledge of Portuguese.

If there is any doubt as to the sufficiency of the certificate submitted to prove the knowledge of the Portuguese language, the competent authorities of the Ministry of Education and Science shall be asked to give their opinion, under penalty of not being considered valid as proof of knowledge if deemed insufficient.

**Q12b.** 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:*

No.

**Citizenship tests and commitments**

**Q13. Are citizenship applicants required to pass a citizenship test for all naturalisation grounds?** *Please note that this could also include oral interviews.*

Yes. *Please outline the main components of the test.*

No.

**Q13a.** If yes, has the citizenship test ever been evaluated?

Yes. *Please explain:*

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<sup>26</sup> Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

No.

**Q14. 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 for all naturalisation grounds and if so, which ones?**

*Please explain: No.*

**Q14a. What are those values/norms? What is expected from the applicant?**

Yes. *Please explain:*

No.

**Q15. Are applicants require to pledge formally allegiance to your Member State (e.g. oath of allegiance?) Does this apply to all naturalisation grounds? Please explain the differences.**

Yes. *Please explain:*

no. *Please explain:*

### **Good conduct**

**Q16. 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:*

They must not have been convicted with a provisional or final sentence of imprisonment of 3 years or more and they must not pose a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism [sub-paragraphs d) and e) of Article 6(1) LN].

No.

**Q16a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

*Please elaborate:*

Criminal record certificates issued by the competent Portuguese services, those of the country of birth and nationality and of any countries where the person has resided and where the person is residing (after reaching the age of criminal responsibility), as well as information provided by the Criminal Police, as well as the Foreigners and Borders Service, which may consult with other entities, services and security forces for this purpose (Articles 6(1) LN and Article 19 RN).

### **Economic resources**

**Q17. 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.

**Q17a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

*Please elaborate:*

**Q18. Is the third-country national's housing situation taken into account?**

- Yes. *Please explain:*  
 No.

**Q18a:** If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

*Please elaborate.*

**Others**

**Q19. Are there any other requirements not listed above?**

- Yes. *Please explain:*  
 No.

**Section 2.3 Security**

**Q20.** Are there any specific exclusion criteria (e.g. threats to national security and public order)?

- Yes. *Please explain:*

Not posing a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism [Article 6(1)(e) LN]

- No.

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

**Q21. 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:**

There are no different legal provisions for these specific groups.

However, with regard to the processing of the procedure for acquisition of nationality by residence, it is possible, in special cases, to dispense with the submission of documents that should be included in the application for naturalisation, provided that there is no doubt that the requirements that this document was intended to fulfil are met (Article 26 RN). This is the case for certain groups, such as refugees or beneficiaries of subsidiary international protection.

- 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

**Q21a.** Refugees

*Please briefly explain:*

**Q21b.** Other beneficiaries of international protection statuses

*Please briefly explain:*

**Q21c.** Specific categories of legal migrants e.g. people with disabilities or people in old age.

*Please briefly explain:*

**Q21d.** Other groups that are **significantly represented** in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

*Please briefly explain:*

### **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. 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).*

**Q22. Please describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation?**

*Please explain:*

The interested party must submit an application, written in Portuguese and addressed to the Minister of Justice, at a civil registry office, in Portuguese territory, or at a Portuguese consular office, if abroad, providing all the legally required documents. The application can be delivered in person, by the person concerned or his/her representative, or sent by post. A platform is currently being developed that will allow applications to be submitted online.

Subsequently, the case should be briefly analysed and the application preliminarily rejected in the cases provided for by law, such as the failure to provide any mandatory identification data or the necessary documents to substantiate the facts that form the basis of the application. In this case, the interested party is notified of the grounds for rejection, so that he/she may comment on the decision within 20 days.

If the application is not preliminarily rejected, the necessary information is requested electronically from the Directorate-General for the Administration of Justice (for the purpose of obtaining the Portuguese criminal record certificate), the Criminal Police, as well as the Foreigners and Borders Service which, to this end, may consult with other entities, services and security forces.

Once these steps have been taken, an opinion is issued on whether or not the conditions for the application are met, and the file is immediately submitted to the Minister of Justice for a decision, if the opinion is favourable to the interested party's request.

If the opinion is that the application should be rejected, the interested party shall be notified of its contents so that he/she may comment on the decision within 20 days. This notification must include the time and place where the file may be consulted.

Once the time limit referred to in the above paragraph has expired, and once the interested party's reply has been analysed, the file is submitted to the Minister of Justice for a decision.

The decision of the Minister of Justice to grant naturalisation is subject to registration and drawn up *ex officio* at the Central Registry Office.

If the application for naturalisation is rejected, the decision is notified to the interested party, who will be able to file an appeal.

**Q22a. Are children automatically naturalised once their parents are granted citizenship?**

Yes. *Please explain:*

No.

**Q23. 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:

Central Registry Office and civil registry offices, under the supervision of the Ministry of Justice, which receive the applications;

Central Registry Office and civil registry office with nationality help desk, under the supervision of the Ministry of Justice, which process them;

Directorate-General for the Administration of Justice, under the supervision of the Ministry of Justice, for the purpose of obtaining the Portuguese criminal record certificate;

Criminal Police, under the supervision of the Ministry of Justice, for the purpose of obtaining information on the existence of danger or threat to security or national defence, due to involvement in activities related to the practice of terrorism;

Foreigners and Borders Service, under the supervision of the Ministry of Internal Affairs, for the purpose of proving the period of legal residence and obtaining information on the existence of danger or threat to security or national defence, due to involvement in activities related to the practice of terrorism;

Minister of Justice, for the purpose of the decision granting naturalisation by residence, who has the power to delegate to the chairman of the governing board of Instituto dos Registos e Notariado, I.P., who in turn has the power to sub-delegate to the civil registry offices. There is currently a number of registrars with this sub-delegation, who are therefore responsible for deciding on this type of naturalisation files.

**Q24. Are these procedures digitised? Can applications for citizenship be made online?**

Yes. Please explain:

The files are scanned and processed in a computer application. However, a platform is currently being developed that will allow applications to be submitted online.

No.

**Q25. 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:

Birth certificate (may be dispensed with in special cases), duly legalised and provided together with a translation, if written in a foreign language;

Document issued by the Foreigners and Borders Service, proving that the person has been legally residing in Portugal for at least six years, under any of the titles, visas or permits provided for under the entry, stay, departure and expulsion of foreigners scheme and the right to asylum scheme, or under special arrangements arising from treaties or conventions to which Portugal is a party, in particular within the framework of the European Union and the Community of Portuguese-speaking Countries (obtained *ex officio*);

Document proving sufficient knowledge of the Portuguese language;

Criminal record certificates issued by the competent Portuguese services (obtained *ex officio*), from the country of birth and nationality, and from the countries where the person has resided and where the person is residing (after reaching the age of criminal responsibility), provided together with a translation, if written in a foreign language. The interested party is not required to produce the criminal record certificate of the country of birth and/or of the country of nationality provided that he/she proves that, after turning 16, he/she was residing in another country.

Indication of the number, date and issuing body of the residence card or permit, passport or equivalent identification document of the interested party, as well as of his/her legal representative or attorney-in-fact, if any.

**Q26. 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:*

There is no statutory limitation on the maximum duration of the proceedings as a whole.

It is possible to ask for the file to be processed as a matter of urgency, in duly proven cases of health, family or economic problems.

In practice, this type of procedure is currently taking an average of 10 months.

**Q27. 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 explain:* 250€

**Q28. Are there any other evidence requirement to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above)?**

*Please explain:* No

**Q29. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?<sup>27</sup>**

*Please explain:*

Naturalisation through residency is a subjective right and not a discretionary concession.

**Q30. 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 most common type of attempted fraud is related to Portuguese language exams taken by individuals who apply for nationality via naturalisation.

Sometimes, the people who show up to take the Portuguese language exams are citizens who pretend to be the applicants, introducing themselves with the identification documents of the actual applicants.

If a criminal violation for use of another person's documents and document forgery is deemed to have been committed, these citizens are arrested and/or indicted, being immediately brought to trial and, in other cases, notified to appear before the SEF.

The Foreigners and Borders Service carries out quarterly operations (when these exams take place) in collaboration with the Directorate-General for Innovation and Curriculum Development of the Ministry of Education, which have proven to have a deterrent effect.

**Q31. Is there a right of appeal or basis for legal challenge if citizenship is refused? Do the authorities have to provide information about the grounds for refusal?**

Yes. *Please explain:*

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<sup>27</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.

If the application for naturalisation is rejected, the decision is notified to the interested party, stating the reasons on which it is based. This notification includes the time and place where the file may be consulted, as well as the legal means of appeal available to the interested party.

No. *Please explain:*

**Q32. 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:*

1. The existence of provisional or final convictions for the practice of criminal offences punishable with imprisonment for three years or more, under Portuguese law.
2. Lack of residence time
3. Failure to prove knowledge of the Portuguese language
4. Failure to provide the necessary documents to substantiate the facts that form the basis of the application - Failure to provide the criminal record certificate(s) of the country of birth and/or country of nationality or previous residence

**Q33. 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**

**Q34. 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):*

No.

**Q35. Is support by the state provided to applicants during the application process)?<sup>28</sup> Are any good practices in place in your Member State?**

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

No.

**Q36. Does your Member State provide for 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 and multiple citizenships**

**Q37. Is the third-country national required to renounce his/her other nationality in order to acquire or hold citizenship in your Member State?**

<sup>28</sup> For the purpose of this study, only support under the control of the state should be included here, i.e. support by NGOs or private service providers is excluded unless contracted by the state.

- Yes. Please explain the reasoning and how this is enforced:
- No. Please explain the rationale is possible: [Portugal accepts multiple nationalities.](#)

**Q38. Is the requirement to renounce dependent on the person's other nationality and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of nationality? If yes, please elaborate.** [No.](#)

**Q39. 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.

**Q40. Are there any particular restrictions placed on third-country nationals who hold dual or multiple citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)**

- Yes. Please explain:
- No.

**Q41. Does your Member State collect data of its citizens' other citizenships?**

- Yes. If so, please explain if there are procedures during which the holding of dual/multiple citizenship is established and whether a database is maintained to keep track of other citizenship(s)?

[Only the previous nationality declared at the time of the application for naturalisation is registered, and there will be no further updates by the IRN.](#)

- No.

**Q42. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?**

- Yes. Please explain.

[Nationals will no longer lose their nationality when they acquire another one, for example in the countries to which they emigrate.](#)

- No.

## **Section 5: Citizenship and integration**

**Q43. How does the integration policy of your Member State address the acquisition of citizenship?**

*Please elaborate:*

[The administrative data associated with processes for granting Portuguese nationality allow us to emphasize that the acquisition of Portuguese nationality, as a derived nationality, is the privileged channel for access to Portuguese nationality, and is also an instrument for the integration of immigrants.](#)

**Q44. Does your Member State's national integration strategy/action plan address the issue of citizenship?**

- 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)?

Naturalisation is regarded as a tool for the immigrant's integration process, not as the end of the integration process. The process of integrating immigrant communities into host societies can greatly benefit from the formal recognition of the citizenship status, but rather than dispensing with the pursuit of active integration policies, it requires them.

Integration policies aim at a better integration into the Portuguese society by immigrants and their descendants; this includes all those who obtained Portuguese nationality, either by birth or by naturalisation. The universe of new Portuguese citizens has expanded in recent years.

Thus, since 2007 there has been a significant increase in the number of applications for Portuguese citizenship, and between 2007 and 2017, more than half a million citizens applied for Portuguese nationality (548,518 thousand applications in one decade), resulting in 449,691 new Portuguese citizens (an annual average of almost 41,000 new Portuguese citizens). These data allow us to take into account the actual importance of immigrant descendants in Portuguese society, as well as the pace and effectiveness of the immigrant naturalisation process over recent years.

These new Portuguese citizens need active measures aimed at preventing and combating situations of social exclusion by fostering the use and creation of opportunities, so this is a task that does not end with the acquisition of citizenship. In this context, priority is given to the practical implementation of a series of measures to promote the integration and inclusion of new Portuguese nationals through initiatives in the fields of education, vocational training, transition into the labour market, civic and political participation, digital inclusion, entrepreneurship, and empowerment..

No.

**Q45. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?**

*Please elaborate:*

**Q46. 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:*

**Q46a:** Participation in regional or national elections.

*Please elaborate:*

In Portugal, the political rights of foreign nationals, in the strictest and most formal sense of access to active and passive electoral rights, are limited to three situations:

- to citizens of Portuguese-speaking countries permanently residing in Portugal and in conditions of reciprocity (excluding access to the positions of President of the Republic, President of the Assembly of the Republic, Prime Minister, President of the Supreme Courts and service in the Armed Forces and the diplomatic career) - which grants reciprocal political rights to the citizens of Brazil and Cape Verde, after two years of residence to vote and after three years to be elected in local elections (in the case of Brazilian citizens, the Treaty of Friendship, Cooperation and Consultation, signed between Brazil and Portugal, also grants Brazilians who apply for the "equal political rights status" a broader set of political rights, after two years of residence, including voting in all elections and being elected in virtually every election, except for the position of President of the Republic);

- foreign nationals residing in Portuguese territory, in conditions of reciprocity, are granted active and passive electoral rights within the scope of local authorities after at least three years of residence in Portugal - this group includes, for the years covered in this report, Argentina, Chile, Colombia, Iceland, Norway, New Zealand, Peru, Uruguay and Venezuela (only with the right to vote and not to be elected);

- citizens of EU Member States residing in Portugal, in conditions of reciprocity, are granted, in addition to the aforementioned electoral rights, the right to elect and to be elected for the European Parliament; there is no minimum period of residence for these citizens, and they only have to prove they habitually reside in Portugal to complete their electoral registration in the country.

Upon becoming a Portuguese citizen, any citizen from an EU country is automatically an EU citizen. Being an EU citizen gives individuals a number of important additional rights and responsibilities, such as the freedom to travel and live in the EU, participate in the EU's political life, enjoy consular protection, etc.

**Q46b:** Access to certain types of employment (jobs that are only open to citizens of your country).

*Please elaborate:*

The labour market is liberalised and no jobs are exclusively for Portuguese citizens. However, Article 15 of the CRP imposes some reservations with regard to the exercise of public and political functions, such as:

1. Foreign nationals and stateless persons who are in Portugal, whether residing or not, have the same rights and are subject to the same duties as Portuguese citizens.
2. The paragraph above shall not apply to political rights, the exercise of public functions which are not predominantly of a technical nature and the rights and duties reserved by the Constitution and the law exclusively to Portuguese citizens.
3. Citizens of Portuguese-speaking States who permanently reside in Portugal are granted, in accordance with the law and under conditions of reciprocity, rights that are not granted to foreign nationals, except access to the positions of President of the Republic, President of the Assembly of the Republic, Prime Minister, Presidents of Supreme Courts and service in the Armed Forces and diplomatic career.
4. The law may grant to foreign national residing in Portuguese territory, under conditions of reciprocity, active and passive electoral rights within the scope of the election of local authority representatives.
5. The law may also grant, under conditions of reciprocity, to citizens of EU Member States residing in Portugal, the right to elect and to be elected Members of the European Parliament.

**Q46c:** Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

*Please elaborate:*

According to the Constitution of the Portuguese Republic, the social protection of citizens is ensured by the Social Security System, whose Basic Law sets as its main objectives: Ensuring the realisation of the right to social security; Promoting the sustained improvement of social protection conditions and levels and strengthening their equity; Promote the efficacy of the system and the effectiveness of its management.

Foreign nationals legally working and residing in Portugal, as well as their families and survivors, are subject to the same duties and rights as Portuguese nationals. However, the granting of certain benefits to foreign residents, not equivalent to Portuguese nationals by means of an international social security instrument, may depend on certain conditions, in particular minimum periods of residence.

If they are nationals of a State to which Portugal is bound by an international social security instrument, they may be guaranteed, in particular, the aggregation of contribution periods, registered in that State and in Portugal, in order to gain access to a specific social security benefit, when such periods, considered separately, would not give them any rights.

**Q47. What support is given once citizenship has been granted to support the new citizen in the 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 elaborate:*

As part of the 2015-2020 Strategic Plan for Migration, a program of integration policies was designed to better integrate immigrants and their descendants into Portuguese society, including all those who obtained Portuguese nationality, whether by birth or by naturalisation. In this context, a number of policies were proposed to promote the inclusion of new Portuguese citizens in different areas, such as:

- Fighting the social, educational and professional exclusion of descendants of immigrants.
- Digital inclusion
- Creating mechanisms for valuing the granting of Portuguese nationality, promoting the values of citizenship
- Supporting the creation of economic and social entrepreneurship solutions by descendants of immigrants
- Empowering the descendants of immigrants for civic and political participation, etc.

**Q48. 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 elaborate:*

By way of example and considering the principle of equal rights and opportunities, as well as the increase in migratory flows witnessed in recent years in Portugal, together with the need to prevent situations of illegality and labour exploitation, the campaign '*Trabalhar no estrangeiro - Informe-se antes de partir*' (Working Abroad - Get Informed Before Leaving) was launched.

This Campaign results from a joint partnership between the Office of the Secretary of State for Portuguese Communities (GSECP), the Directorate-General for Consular Affairs and Portuguese Communities (DGACCP), the Institute of Employment and Vocational Training (IEFP, IP), the Institute of Social Security (ISS, IP) and the Authority for Working Conditions (ACT), and aims to alert potential candidates wanting to live/work abroad about the importance of getting informed before leaving Portugal, namely about:

- a) living and working conditions in the host country;
- b) language skills;
- c) regulated professions;
- d) access to health care and social security;
- e) tax benefits and obligations;
- f) legal and administrative formalities;
- g) recommended precautions;
- h) useful contacts.

**Q49. Are there any indications 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.

## **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:*

Portugal is as a very interesting case to analyse because the impacts of legislative changes to the citizenship scheme on the granting of nationality are very evident. The figures show the effects of the revisions made to nationality regulations from 2006 onwards very clearly. So, between 2007 and 2016, almost half a million citizens applied for Portuguese citizenship (477,000 applications in 10 years), corresponding to 48,000 new cases filed on average each year.

This development is particularly positive compared to the decade prior to the 2006 regulation: in the ten years preceding this regulation (between 1997 and 2006), there were about seven times fewer applications for Portuguese nationality approved (61,156 applications for nationality approved), with an average of only 5,600 cases decided each year.

Due to the 2006 legislative amendment (Organic Law No. 2/2006, of 17 April, complemented by Decree-Law No. 237-A/2006, of 14 December, which approved the Portuguese Nationality Regulation and repealed the regulation that had been in force since 1982 through Decree-Law No. 322/82, of 12 August), the scope of the recognition of Portuguese nationality according to the various principles - in particular *ius domicilii*, *ius sanguinis*, and *ius soli* - pushed the country to the top of the international ratings regarding best practices in the area of citizenship schemes.

The growth of immigration in Portugal and the high number of second- and third-generation immigrants have launched the debate on the need to respond to the new reality of Portugal as an immigration country. Inclusion, rather than restriction, was now on the agenda. This allowed widening and favouring the means for acquiring Portuguese nationality. On the other hand, there was also an effort to continue strengthening ties with the community of Portuguese citizens living abroad.

Integration policies aim at a better integration into the Portuguese society by immigrants and their descendants; this includes all those who obtained Portuguese nationality, either by birth or by naturalisation.

This universe of new citizens (new Portuguese citizens) does not dispense with active integration policies, despite the lack of statistical information about them, since it is only collected according to the individual's nationality.

According to data from the last Census (2011), there were 871,813 Portuguese born abroad residing in Portugal, which is more than double the number of foreign nationals residing in Portugal (394,496). The same source allows us to conclude that 92,700 citizens with Portuguese nationality have at least one parent of foreign nationality. These data, despite being approximate, allow us to take into account the actual importance of immigrant descendants in Portuguese society, as well as the pace and effectiveness of the immigrant naturalisation process in recent years.

### **Section 7: Statistical trends**

**Q50. How many third-country nationals have acquired the citizenship of your Member State each year between 2014-2018? Please list the 10 main former citizenships of the persons concerned and disaggregate by sex and age groups. [Source: Eurostat, migr\_acq].** *Kindly note that data for 2014-2017 will be extracted centrally from Eurostat. Data for 2018 should be provided in Table 1 below.*

**Q51. How many third-country nationals have acquired the citizenship of your Member State each year between 2014-2018, differentiated by the grounds of acquiring citizenship and disaggregated by sex, if possible. [Source: National data].** *Please fill in Table 2 below.*

**Q52. What is the share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens between 2014-2018 [Source: Eurostat, migr\_acqs].** *Kindly note that data for 2014-2017 will be extracted centrally from Eurostat. Data for 2018 should be provided in Table 3 below.*

**Q53. If your Member States allows dual citizenship: How many persons have been granted dual citizenship between 2014-2018? If possible, please differentiate between the grounds of acquiring citizenship [Source: National data].** *Please fill in Table 4 below.*

*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.*



**Table 1: Number of third-country nationals have acquired the citizenship of your Member State in 2018? Please list the 10 main former citizenships of the persons concerned and disaggregate by sex and age groups.**

| <b>How many third-country nationals have acquired the citizenship of your Member State in 2018, differentiated by the 10 main former citizenships of the persons concerned and disaggregated by sex and age groups.</b> |                               |              |             |               |              |             |               |              |             |               |              |             |               |              |             |               |
|---|-------------------------------|--------------|-------------|---------------|--------------|-------------|---------------|--------------|-------------|---------------|--------------|-------------|---------------|--------------|-------------|---------------|
|   | <b>Country of citizenship</b> | <b>total</b> | <b>male</b> | <b>female</b> | <b>total</b> | <b>male</b> | <b>female</b> | <b>total</b> | <b>male</b> | <b>female</b> | <b>total</b> | <b>male</b> | <b>female</b> | <b>total</b> | <b>male</b> | <b>female</b> |
| Top 1 country of former citizenship   | <b>Brazil</b>                 | <b>7493</b>  | <b>2847</b> | <b>4646</b>   |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 2 country of former citizenship   | Cape Verde                    | 4071         | 1596        | 2745          |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 3 country of former citizenship   | Ukraine                       | 1848         | 862         | 986           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 4 country of former citizenship   | Guinea Bissau                 | 1719         | 960         | 759           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 5 country of former citizenship   | Angola                        | 1593         | 743         | 850           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 6 country of former citizenship   | S. Tomé and Príncipe          | 1153         | 550         | 603           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 7 country of former citizenship   | India                         | 886          | 545         | 341           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 8 country of former citizenship   | Nepal                         | 450          | 245         | 205           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 9 country of former citizenship   | Moldavia                      | 423          | 200         | 223           |              |             |               |              |             |               |              |             |               |              |             |               |
| Top 10 country of former citizenship  | Bangladesh                    | 306          | 227         | 79            |              |             |               |              |             |               |              |             |               |              |             |               |

**Table 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.

| <b>How many third-country nationals have acquired the citizenship of your country each year between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible. N.B. The modes of acquiring citizenship are taken from the Global Database on Modes of Acquisition of Citizenship (<a href="http://globalcit.eu/acquisition-citizenship/">http://globalcit.eu/acquisition-citizenship/</a>)</b> |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|--------------|--------------|--------------|--------------|--------|
| Ground of acquiring citizenship   | 2014         |              |              | 2015         |              |              | 2016         |              |              | 2017         |             |              | 2018         |              |              | Source |
|   | total        | male         | female       | total        | male         | female       | total        | male         | female       | total        | male        | female       | total        | male         | female       |        |
| Total   | <b>21663</b> | <b>10093</b> | <b>11570</b> | <b>21840</b> | <b>10528</b> | <b>11312</b> | <b>26194</b> | <b>12351</b> | <b>13843</b> | <b>18838</b> | <b>8394</b> | <b>10444</b> | <b>23576</b> | <b>13034</b> | <b>10542</b> |        |
| Ordinary naturalisation   | 12556        | 6364         | 6192         | 14225        | 7120         | 7105         | 16605        | 8226         | 8379         | 11327        | 5339        | 5987         | 14316        | 6604         | 7712         |        |
| Period of residence in country  |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
| Spouse of an EU citizen   | 3671         | 863          | 2808         | 2159         | 540          | 1619         | 3493         | 955          | 2538         | 3405         | 898         | 2507         | 3756         | 1059         | 2697         |        |
| Stateless or unclear citizenship  | 2            | 1            | 1            | 2            |              | 2            | 6            | 3            | 3            | 3            | 1           | 2            | 5            | 3            | 2            |        |
| Cultural affinity   | 82           | 43           | 39           | 64           | 32           | 32           | 58           | 32           | 26           | 87           | 41          | 46           | 117          | 67           | 50           |        |
| Special achievements  |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
| Public service  |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
| Financial assets  |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
| Birth in country (2nd generation)   | 1218         | 625          | 593          | 2009         | 1039         | 970          | 1543         | 784          | 759          | 1198         | 630         | 568          | 1701         | 882          | 819          |        |
| Birth in country (3rd generation)   |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |
| Adoption  | 32           | 13           | 19           | 16           | 8            | 8            | 18           | 9            | 9            | 17           | 8           | 9            | 18           | 9            | 9            |        |
| Other   |              |              |              |              |              |              |              |              |              |              |             |              |              |              |              |        |

**Table 3:** Share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens in 2018.

| Total number of non-EU residents | Total number of non-EU residents who have acquired citizenship | Share of non-EU citizens who have acquired citizenship (in %) |
|----------------------------------|--|---|
|                                  | 22069  |   |

## Pathways to citizenship

**Table 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.

| <b>If your Member States allows dual citizenship: How many persons have been granted dual citizenship between 2014-2018? If possible, please differentiate between the ground of acquiring citizenship?</b> |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
|---|--------------|--------------|---------------|--------------|--------------|---------------|--------------|--------------|---------------|--------------|-------------|---------------|--------------|--------------|---------------|-----------|
| <b>Ground of acquiring citizenship</b>  | <b>2014</b>  |              |               | <b>2015</b>  |              |               | <b>2016</b>  |              |               | <b>2017</b>  |             |               | <b>2018</b>  |              |               | <b>So</b> |
|   | <b>total</b> | <b>male</b>  | <b>female</b> | <b>total</b> | <b>male</b>  | <b>female</b> | <b>total</b> | <b>male</b>  | <b>female</b> | <b>total</b> | <b>male</b> | <b>female</b> | <b>total</b> | <b>male</b>  | <b>female</b> |           |
| Total   | <b>21663</b> | <b>10093</b> | <b>11570</b>  | <b>21840</b> | <b>10528</b> | <b>11312</b>  | <b>26194</b> | <b>12351</b> | <b>13843</b>  | <b>18838</b> | <b>8394</b> | <b>10444</b>  | <b>23576</b> | <b>13034</b> | <b>1054</b>   |           |
| Ordinary naturalisation   | 12556        | 6364         | 6192          | 14225        | 7120         | 7105          | 16605        | 8226         | 8379          | 11327        | 5339        | 5987          | 14316        | 6604         | 7712          |           |
| Period of residence in country  |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
| Spouse of an EU citizen   | 3671         | 863          | 2808          | 2159         | 540          | 1619          | 3493         | 955          | 2538          | 3405         | 898         | 2507          | 3756         | 1059         | 2697          |           |
| Stateless or unclear citizenship  | 2            | 1            | 1             | 2            |              | 2             | 6            | 3            | 3             | 3            | 1           | 2             | 5            | 3            | 2             |           |
| Cultural affinity   | 82           | 43           | 39            | 64           | 32           | 32            | 58           | 32           | 26            | 87           | 41          | 46            | 117          | 67           | 50            |           |
| Special achievements  |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
| Public service  |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
| Financial assets  |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
| Birth in country (2nd generation)   | 1218         | 625          | 593           | 2009         | 1039         | 970           | 1543         | 784          | 759           | 1198         | 630         | 568           | 1701         | 882          | 819           |           |
| Birth in country (3rd generation)   |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |
| Adoption  | 32           | 13           | 19            | 16           | 8            | 8             | 18           | 9            | 9             | 17           | 8           | 9             | 18           | 9            | 9             |           |
| Other   |              |              |               |              |              |               |              |              |               |              |             |               |              |              |               |           |

# Common Template of EMN Study 2019

## Name of study

### **National Contribution from Portugal\*<sup>29</sup>**

*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:*

Considering the acquisition of citizenship the Portuguese system is a mixed system with a predominance of jus sanguinis.

Within the principle of *ius soli*, the Portuguese system promotes better integration of immigrants, being more inclusive and accessible to the descendants of immigrants born in Portugal through the recognition of citizenship status for individuals who were born in the country with ties to Portugal.

Within the principle of *ius domicilii* by making naturalisation accessible in countless situations of vulnerability of children and young people who can now prove their residence in the country, namely based on the number of years of school attendance (in these cases, instead of years accumulated with residence permits).

Not neglecting the pre-existing principle of *ius sanguinis* which essentially protected access to Portuguese nationality by descendants of Portuguese emigrants.

The requirements for acquisition of citizenship by naturalisation are: being of legal age or emancipated under Portuguese law; having been legally residing in Portuguese territory for at least five years; having sufficient knowledge of the Portuguese language; not having been convicted with a provisional or final sentence of imprisonment of 3 years or more and not being a danger or threat to national security or defence due to their involvement in activities related to the practice of terrorism, in accordance with the respective law.

Regarding the procedure of acquiring citizenship the interested party must submit an application, written in Portuguese and addressed to the Minister of Justice, at a civil registry office, in Portuguese territory, or at a Portuguese consular office, if abroad, providing all the legally required documents. A platform is currently being developed that will allow applications to be submitted online.

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<sup>29</sup>Replace highlighted text with your **Member State** name here.

If the application is not preliminarily rejected, the necessary information is requested electronically from the Directorate-General for the Administration of Justice (for the purpose of obtaining the Portuguese criminal record certificate), the Criminal Police, as well as the Foreigners and Borders Service which, to this end, may consult with other entities, services and security forces.

Once these steps have been taken, an opinion is issued on whether or not the conditions for the application are met, and the file is immediately submitted to the Minister of Justice for a decision, if the opinion is favourable to the interested party's request.

Portugal accepts multiple nationalities.

Considering citizenship and integration naturalisation priority is given to the practical implementation of a series of measures to promote the integration and inclusion of new Portuguese nationals through initiatives in the fields of education, vocational training, transition into the labour market, civic and political participation, digital inclusion, entrepreneurship, and empowerment.

The figures show the effects of the revisions made to nationality regulations from 2006 onwards very clearly. Between 2007 and 2016, almost half a million citizens applied for Portuguese citizenship. The changes of law in 2006 pushed the country to the top of the international ratings regarding best practices in the area of citizenship schemes.

The growth of immigration in Portugal and the high number of second- and third-generation immigrants have launched the debate on the need to respond to the new reality of Portugal as an immigration country. Inclusion, rather than restriction, was now on the agenda. This allowed widening and favouring the means for acquiring Portuguese nationality.

According to data from the last Census (2011), there were 871,813 Portuguese born abroad residing in Portugal, which is more than double the number of foreign nationals residing in Portugal (394,496).

Section 1: National legal and policy framework in the Member State

X

Section 2: X

X

Section 3: X

X

## **Annex 1 National statistics**

Please fill in the attached excel sheet with the respective statistics for your Member State. The Statistical Annex consists of the following:

- Annex 1.1: