



Ad-Hoc Query on Naturalisation

Requested by IE EMN NCP on 2 September 2015

Compilation produced on 9 November 2015

Responses from Austria, Belgium, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom plus Croatia, Norway (26 in Total)

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1. Background Information

In Ireland when a non-Irish national's application for naturalisation¹ is accepted and he/she is granted Irish citizenship,² the person's name and address is published in Ireland's Official Journal, *Iris Oifigiúil*, and is thus a matter of public record. The format of the notification is set out in legislation in S.I. No. 284 of 2011, *Irish Nationality and Citizenship (Amendment) Regulations 2011*, in Form 13.³

¹ 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. *EMN Asylum and Migration Glossary 3.0.*

² 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. *EMN Asylum and Migration Glossary 3.0.*

³ See link at <http://www.inis.gov.ie/en/INIS/SI%20No%20284%20of%202011.pdf/Files/SI%20No%20284%20of%202011.pdf>

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The information published is:

- *Name;*
- *Address;*
- *Date of certificate;*
- *Whether the person was of full age or a minor.*

The Irish Naturalisation and Immigration Service (INIS) within the Department of Justice and Equality would like to know what is the position regarding the publication of such information in other (Member) States.

Q1. Are details of persons who are granted citizenship through naturalisation published in your (Member) State? [YES/NO]

Q2. If YES,

(a) Is there a legal basis for the publication of such information?

(b) What information is published?

(c) Does the publication where this information is published have an online edition?

A response by 30 September 2015 is requested, with an earlier answer useful.

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2. Responses⁴

| | | Wider Dissemination? ⁵ | |
|---|----------------|-----------------------------------|--|
|  | Austria | Yes | 1) No. 2) N/A. |
|  | Belgium | Yes | <p>According to Belgian law, there are two ways of obtaining Belgian nationality:</p> <ul style="list-style-type: none"> - Acquisition of Belgian nationality by declaration (the procedure is defined in Article 12bis of the Belgian Nationality Code of 28 June 1984); - Acquisition of Belgian nationality by naturalization, in application of Article 18-19 of the Belgian Nationality Code. Naturalisation is only granted in exceptional cases by the Chamber of Representatives on the basis of exceptional merit or to stateless persons. <p>The declaration to acquire Belgian nationality <u>is not published</u>. The acquisition of Belgian nationality shall take effect on the day the declaration of nationality is registered in the Civil Register. This is based on Article 15, §6, last paragraph, of the Belgian Nationality Code.</p> <p>The act of naturalization adopted by the Chamber of Representatives and endorsed by the King upon recommendation from the Minister of Justice, <u>is published in the Belgian Official Gazette</u>. The act of naturalization takes effect starting on the day of the publication, which means that the foreign national has the Belgian nationality from the date of publication. This is based on article 21, §6 of the Belgian Nationality Code. The name, surname, place and date of birth of the person who acquired Belgian nationality by naturalization are published in the Belgian Official Gazette.</p> <p>The Belgian Official Gazette is available online: http://www.ejustice.just.fgov.be.</p> |
|  | Cyprus | Yes | 1. No. The person's name or any other information is not published because there is no such provision in the relevant law. |
|  | Czech Republic | Yes | 1. No. The details of persons who are granted citizenship through naturalization are not published in any public register in the Czech Republic. 2. n/a |

⁴ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

⁵ A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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| | | Wider Dissemination? ⁵ | |
|---|---------|-----------------------------------|--|
|  | Estonia | Yes | 1. No |
|  | Finland | Yes | <p>1. Are details of persons who are granted citizenship through naturalisation published in your (Member) State? No. Notification of a decision favourable to the applicant can be given by sending the decision by post to the address the applicant has given. The addressee is deemed to be informed of the decision in Finland at the latest on the seventh and abroad at the latest on the thirtieth day following the date the letter was posted, unless proven otherwise.</p> <p>Decisions other than those favourable to the applicant are notified by post against a certificate of service. The decision may also be surrendered to the recipient of the service or his or her representative under the authority given to him or her by the applicant, his or her parent or guardian or a party in another citizenship matter or his or her parent or guardian. A written certificate of the notification shall in that case be drawn up indicating the process server, the party served and the date of service. If notice cannot be served abroad the document will be notified in Finland through a general service process.</p> <p>In the general service process the name of appellant is published in the Official Journal and she/he may contact the Finnish Immigration Service to inquire about the decision.</p> |
|  | France | Yes | <p>1. Yes, but only in a paper version (see 2.c.).</p> <p>2.</p> <p>a) Yes. Provisions regarding naturalisation by decree are set out in decree n°93-1362 of 30 December 1993 regarding citizenship declarations, naturalisation decisions, reacquisition, loss and deprivation of French citizenship (Articles 35-52). In particular, the content of the published information is laid down in Article 50.</p> <p>b) When an application for naturalisation is accepted, a decree granting naturalisation is published in the Official Journal of the French Republic ("Journal officiel de la République française"), including following information:</p> <ul style="list-style-type: none"> - person's full name, - date and place of birth. <p>Same information is also provided regarding his/her children who may be entitled to French citizenship.</p> <p>c) The decrees granting naturalisation are published in the Official Journal of the French Republic (paper edition only). Due to the protection of personal data, such information cannot be published online (decree n°2004-459 of 28 May 2004 setting out the categories of individual legal acts which cannot be published in the online edition of the Official Journal of the French Republic)</p> |
|  | Germany | Yes | <p>1. No.</p> <p>2. n/a</p> |

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|---|-----------|-----------------------------------|---|
|  | Greece | Yes | <ol style="list-style-type: none"> 1. Yes 2. <ul style="list-style-type: none"> a) The publication of the decision for naturalization is obligatory according to the Greek Nationality Code. b) When an alien's application for naturalization is accepted and he/she is granted Greek citizenship, a "summary" of the naturalization decision is published in the Government Gazette. The information concerning the naturalized person includes: surname, name and father's name (in both greek and latin characters), full date of birth (day-month-year) and country of birth. Additional information that is also published is the number of the ministerial decision, the legal basis of the naturalization (exact law provisions) and the exact date of the alien's application for naturalization (day-month-year). c) Yes, the Government Gazette has also an online edition, which is open and free of charge to public, and also includes search engines for easy access to published information. |
|  | Hungary | Yes | <ol style="list-style-type: none"> 1. No. 2. n/a |
|  | Ireland | No | This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further. |
|  | Italy | Yes | <ol style="list-style-type: none"> 1. No. In Italy, however, foreign nationals who are granted citizenship have their personal documents (birth certificate, residence certificate, and Ministerial Decree granting citizenship) transcribed in the record of the registry office. The Municipal Registry Office, in fact, records the events that determine the status of people, which may be dependent on or independent of their will: e.g., birth certificates, citizenship certificates, celebration of marriages. etc. |
|  | Latvia | Yes | <ol style="list-style-type: none"> 1. No. According to the decision made by the Cabinet of Ministers on the 12th August 2014 decisions on admission to citizenship shall be deemed as restricted access information and shall not be published neither on the website of the Cabinet of Ministers www.mk.gov.lv nor Official Journal as publication of such a personal information (name, surname and personal code) is not in compliance with the Article 96 of the Constitution of the Republic of Latvia and personal data protection provisions set by the Personal Data Protection Law and Directive 95/46/EC. |
|  | Lithuania | Yes | <ol style="list-style-type: none"> 1. Yes. 2. <ul style="list-style-type: none"> a) The legal basis for the publication of such information is Article No. 36 of Republic of Lithuania Law on Citizenship. b) Following information is published after naturalisation: <ul style="list-style-type: none"> Name; Date of birth; Birthplace (country) Country of residence. |

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| | | | c) It is published online in www.e-tar.lt |
|  | Luxembourg | Yes | 1. No. 2. n/a |
|  | Malta | Yes | 1. YES 2. Is there a legal basis for the publication of such information? a) Such details are published in accordance with the provisions of Subsidiary Legislation 188.03 of the Maltese Citizenship Act (Cap 188). What information is published? b) The names of all persons who during the previous twelve calendar months were granted Maltese citizenship by registration or naturalization are published in the Government Gazette. Does the publication where this information is published have an online edition? c) The Government Gazette may be accessed on line. |
|  | Netherlands | Yes | 1. No, such information is not published. The person concerned receives after his naturalisation an excerpt of his/her Royal Decree in which is stated that the person has acquired Dutch citizenship. This excerpt of the Royal Decree contains the personal data (first and last names, date of birth and residence) of the person who acquired the Dutch nationality and states also whether this Decree also applies to his/her children (minors). This information and the number of the Royal Decree is then –in accordance with art 22.1 of the Dutch nationality act- registered (not published!) in the nationalities-register. 2. Not applicable. See answer under 1. |
|  | Poland | Yes | 1. No. 2. n/a |
|  | Portugal | Yes | 1. No. Instead it is issued a birth certificate. 2. Not applicable |
|  | Slovak Republic | Yes | 1. No. Details of persons who are granted citizenship through naturalisation are not published in the Slovak Republic. 2. n/a |
|  | Slovenia | Yes | 1. No. *Based on Citizenship Act only in cases of deprivation of citizenship and when authority could not carry out an administrative act properly (unknown address, etc.) a legal announcement is published at the Official Gazette. |

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|  | Spain | No | This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further. |
|  | Sweden | Yes | <ol style="list-style-type: none"> No n/a |
|  | United Kingdom | Yes | <ol style="list-style-type: none"> The UK Home Office publishes national statistics related to applications for, grants, refusals and renunciations of citizenship. Published statistics do not include names or anything that would identify an individual in line with UK data protection obligations. The following tables are published by the Home Office, which include certain additional characteristics of people granted citizenship, such as age, sex and nationality. cz01 Citizenship applications, grants and refusals cz 01 q Citizenship applications, grants and refusals cz 02 Citizenship grants by general category cz 02 q Citizenship grants by general category cz 03 Long time base citizenship applications, grants by broad type and refusals cz 04 Long time base grants of other British citizenship cz 05 Citizenship grants by age, sex and geographic region cz 06 Citizenship grants by previous country of nationality cz 07 Citizenship grants by previous country of nationality and type of grant cz 08 People attending British citizenship ceremonies by region and local authority cz 09 Refusals of citizenship by reason cz 10 Renunciations of citizenship Please see link below for Home Office immigration statistics https://www.gov.uk/government/publications/immigration-statistics-april-to-june-2015/list-of-tables n/a |
|  | Croatia | Yes | <ol style="list-style-type: none"> NO due to provisions in THE ACT ON PERSONAL DATA PROTECTION/2003 n/a |
|  | Norway | Yes | <ol style="list-style-type: none"> NO, it is not publically available. However, it is archived digitally. The information is available in the National Registry at the Tax Administration, which is responsible for ensuring that the National Registry is complete and up-to-date. The National Registry contains important information concerning everyone who either is or has been resident in Norway. ARCHIVED in registry |

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| | | | <ul style="list-style-type: none"> • Name • Social security number • Notification of change of citizenship to Norwegian • Address <p>In Norway this information is available in a digital format for those (government agencies) who need to have legal access to it. There is no online access through an internet search. It is not considered public information.</p> <p>In Norway, private individuals are generally not permitted to obtain any information which does not concern themselves, although there are certain exceptions – see below.</p> <p>Getting access to limited information</p> <p>You can obtain certain information which is subject to a duty of confidentiality if you need the information in order to fulfill statutory rights or obligations. The information that may be disclosed consists of the following:</p> <ul style="list-style-type: none"> • Full name • Date of birth and personal ID number • Residential address/postal address, if the party concerned does • not cite a client relationship which must be considered personal • Date of death where applicable <p>Information subject to a duty of confidentiality</p> <p>Some information is subject to a duty of confidentiality. Such information may not be disclosed to private individuals. This concerns among others: citizenship, residence permits, guardianship.</p> <p>How to apply?</p> <p>If you have a legal basis for obtaining information, you must send a written justified application to the tax office which covers the area where you believe the person you want information about lives.</p> |
