

NGO questionnaire on ADMINISTRATIVE PRACTICES RELATING TO THE ACQUISITION OF NATIONALITY/CITIZENSHIP

1. Legal and political trends in the field of nationality/citizenship policy

- 1.1. How do you evaluate the developments in nationality/citizenship law and its application in practice over the last decade (you do not have to describe the legal changes in detail, but you can restrict yourself to the administrative practice):

Which changes do you consider the most important ones with respect to the ease or difficulty for foreign residents and their descendants to acquire nationality/citizenship?

Which changes did not yield the intended consequences, or yielded even unintended consequences? What were the reasons for this divergence between intentions and consequences?

- 1.2. Concerning political developments in the recent past:

How has the political debate changed over the last decade: e.g. has there been a general trend in the political debate towards more restrictiveness or more openness concerning the acquisition of nationality/citizenship?

Have certain political actors (parties, interest groups, NGOs, etc.) changed their position in this field substantially?

- 1.3. Concerning current political developments:

Which issues in the field of nationality/citizenship policy are currently on the political agenda?

What are the chances for these changes to become effective?

Which political actors are the driving forces behind these intended changes? What are the positions of the other political actors concerning these changes? Are immigrant communities/organisations and/or national NGOs involved?

Please provide any additional relevant information on these issues not covered by a question in this section!

2. Conditions for acquisition of nationality/citizenship

In most nationality/citizenship laws there are several conditions that applicants for the acquisition of nationality/citizenship must fulfil. Among the most common are the following ones:

- 2.1. Language proficiency
- 2.2. Other tests of applicants knowledge of the country's political system, values, history, or the like
- 2.3. No (relevant) criminal record
- 2.4. More general "good character" of the applicant
- 2.5. General "integration" or "assimilation" of the applicant
- 2.6. Security of income and/or employment

- 2.7. Health issues
- 2.8. Proof of duration of residence
- 2.9. Other conditions

Please answer the following questions for each condition that is applied in your country:

- a) Is any of these conditions a major and/or frequent obstacle for the acquisition of nationality/citizenship in practice in your country?
- b) How are the rules concerning these requirements interpreted (especially in case of vaguely defined requirements) and applied in practice? Are there any special tests?
- c) Are any of these conditions applied in a significantly different way by the authorities in certain regions, provinces, towns or municipalities?
- d) Have there been recent changes (in the last 10 years) in the responsible authorities' application of rules concerning any of the conditions mentioned above?
- e) Do these conditions affect foreign nationals of certain countries more than those of others?
- f) Do these conditions affect certain groups of persons wanting to acquire nationality/citizenship more than others?
e.g. principal applicants, spouses acquiring nationality/citizenship with principal applicant, women, etc.?

If a condition is not applied, please describe briefly if it has been applied in the recent past, or if its introduction is in discussion, and what the state of affairs is.

Please provide any additional relevant information on these issues not covered by a question in this section!

3. Dual /multiple nationality/citizenship

- 3.1. If there is a requirement to renounce one's previous nationality/citizenship:
 - 3.1.1. Which groups of persons are generally exempted from this requirement?
 - 3.1.2. Are the responsible authorities particularly willing or reluctant to exempt applicants from the requirement to renounce their previous nationality/citizenship?
 - 3.1.3. And how many applicants (approximately in percent of all applicants) can actually benefit from each of the possible exemptions?
 - 3.1.4. Does the requirement to renounce one's previous nationality/citizenship affect foreign nationals of certain countries more than those of others?
 - 3.1.5. Are there specific obstacles for nationals of certain countries to acquire nationality/citizenship due to a refusal of these countries to release their expatriates from nationality/citizenship (e.g. high release fees, long procedures)? How do authorities in your country handle such cases?
 - 3.1.6. Is the requirement to renounce one's previous nationality/citizenship applied in a significantly different way by the authorities in certain regions, provinces, towns or municipalities?

3.1.7. Have there been recent changes (in the last 10 years) in the responsible authorities' application of rules concerning the condition to renounce one's previous nationality/citizenship?

3.2. For all countries:

3.2.1. Are nationals of certain countries frequently deterred from acquiring nationality/citizenship in your country because they would lose their previous nationality/citizenship?

Please provide any additional relevant information on these issues not covered by a question in this section.

4. Procedural questions:

4.1. Fees:

4.1.1. In case there are fees for the acquisition of nationality/citizenship (application fees and/or grant fees): Do these fees vary between different regions, provinces or municipalities? And if yes, which regions, provinces or municipalities apply which fees?

4.1.2. In your experience, do these fees deter many potential applicants? Are certain groups of applicants affected by these fees more than others?

4.1.3. Have there been recent changes (in the last 10 years) with respect to the application of rules concerning fees for the acquisition of nationality/citizenship in practice?

4.2. Documents to be submitted:

4.2.1. Do applicants frequently have problems to present certain documents (e.g. birth or marriage certificates, proof of duration of residence, etc.) to the authorities in procedures to acquire nationality/citizenship?

4.2.2. Are foreign nationals of certain countries more affected by these problems than those of others?

4.2.3. Do these problems occur more frequently in certain regions, provinces, towns or municipalities than in others?

4.3. Procedure:

4.3.1. In your experience, how long does it take for an application for acquisition of nationality/citizenship to be decided from the moment all required documents have been submitted?

4.3.2. In your experience, does the process of gathering all required documents take longer than the actual procedure itself (i.e. from the moment all documents have been handed in until the final decision)?

4.3.3. Are there long backlogs of applications?

4.3.4. How would you evaluate the authorities/civil servants' behaviour towards applicants? Is this behaviour unequal depending on the applicant's nationality/origin?

Please provide any additional relevant information on these issues not covered by a question in this section.

5. Major incentives for acquisition of nationality/citizenship

5.1. What are the main incentives for foreign residents to acquire the nationality/citizenship of your country?

e.g. great differences in rights to social benefits between nationals and foreign nationals, escaping restrictive practice of deportations / increasing security of residence, benefiting from more liberal rules concerning family reunification, right to buy property, etc.

5.2. Are these incentives stronger for foreign nationals of certain countries than for those of others?

5.3. Are these incentives stronger for certain groups of persons wanting to acquire nationality/citizenship than for others?

e.g. principal applicants, spouses wanting to acquire nationality/citizenship together with the principal applicant, women, etc.?

Please provide any additional relevant information on these issues not covered by a question in this section!

6. Unintended consequences and inconsistencies of policies

6.1. Do you see any unintended consequences and inconsistencies of nationality/citizenship policy?

e.g. naturalization campaigns conflict with very strict naturalization requirements, unavailability of language courses to be passed before acquisition of nationality/citizenship is possible, political will to keep number of naturalizations low but difficulty for authorities to grant naturalization in practice, etc.

6.2. Do you see any inconsistencies between nationality/citizenship policy on the one hand and policies towards foreign residents in general on the other?

e.g. restrictions of rights of foreign residents makes acquisition of nationality/citizenship very attractive despite political will to restrict number of naturalizations, discrepancy between conditions for becoming a permanent resident and conditions for acquisition of nationality/citizenship, etc.

7. Preparatory courses and counselling for the acquisition of nationality/citizenship

7.1. Preparatory courses

Are there any preparatory courses for applicants wishing to acquire nationality/citizenship? Who is organising these courses? (ie: state/regions/municipalities/NGOs) Who runs these courses? And who bears the costs for them? How much do they cost? Are they compulsory?

What is being taught in these courses?

In general, how do you evaluate the contents and quality of these courses?

7.2. Counselling

Which and how many NGOs counsel persons wanting to acquire nationality/citizenship?

How are these NGOs funded? Do they receive government money as well to provide such counselling?

Do public authorities offer counselling concerning matters of nationality/citizenship as well?

Do the responsible public authorities frequently advise people not to apply for nationality/citizenship because their application is unlikely to be successful? If yes, is this advice by the authorities mostly backed by the actual facts or are there frequent attempts by the authorities to deter people from applying for (and eventually acquiring) nationality/citizenship?

Is there targeted information material on naturalisation requirements and procedures available? If yes, is it available in the main immigrant languages? Do you think that the information material provided is sufficient and appropriate?

Please provide any additional relevant information on these issues not covered by a question in this section.

8. Evaluation of naturalization campaigns

8.1. Are there, or have there recently been, any specific official campaigns to encourage foreign residents to acquire the nationality/citizenship of your country?

8.2. Do other organisations, esp. NGOs, run any such campaigns?

8.3. If yes to any of the two questions above, how do you evaluate the contents and effectiveness of these campaigns?

8.4. Is there any particular group of foreign residents which is specifically targeted by these campaigns?

Please provide any additional relevant information on this issue not covered by a question in this section.

9. Recommendations and demands

9.1. What are your recommendations and demands for a reform of nationality/citizenship law?

9.2. What are your recommendations and demands with respect to the implementation of nationality/citizenship law in practice?

10. What is your own organisation's activity in this area?

10.1. Do you counsel migrants in matters of acquiring nationality/citizenship? If so, how many per year (approximately) and which specific groups of migrants?

10.2. Have you campaigned on these issues, for example for a law reform?

Individual questions have been sent to all experts regarding their own report.

“Supplementary” questions have been added and sent to all the experts after receiving the reports:

More generally, the experts are asked to consider in their report whether they have been properly dealing with the following points and if not to include them in their report. The questions are the following;

- *Are there justification of rejection of an application by the administration? Is it possible/easy to obtain the reasons of the rejections? To whom do you address?*
- *Is there a right of appeal?*
- *How is appeal being dealt with? (delays, potential success, behaviour of the administration, communication between the responsible body and the applicant, etc.)*
- *Are there any oath or nationality ceremony? Are these compulsory? Does the applicant have to pay fees for that?*
- *Do you think that applicant are treated in the same way, better or worst when they are applying for nationality or for residence permit?*
- *Regarding civic and political rights which appears in most of the reports as one of the first incentive in gaining nationality of the country of residence, is this a demand from the applicant themselves or from the NGO you are working for?*
- *Has the practical implementation of the law been properly been dealt with in the report (administrative practices, administration's behaviour etc.)*